

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16331 of 2025

Arising Out of PS. Case No.-343 Year-2023 Thana- BACHHWARA District- Begusarai

Mukesh Kumar Singh @ Mukesh Singh Son of Suraj Singh R/o Village-
Chamtha, PS- Bachhwara, Distt.- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bachhwara P.S. Case No. 343 of 2023 instituted for the offences under Sections 147, 148, 149, 307, 384, 420, 120B, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that when the informant along with his nephew and some labourers was engaged in his fields, all the FIR named accused persons along with four unknown persons armed with rifle and pistols started indiscriminate firing with intention to kill them. It is further alleged that this petitioner and one Sanjay Kumar Singh dispossessed the informant from his land.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the accused persons. No specific overt act is alleged against the petitioner. Learned counsel further submitted that from perusal of the FIR it appears that allegation of firing is against co-accused persons and not against this petitioner rather the name of the petitioner has been added in the last part of the FIR due to admitted enmity. Learned counsel further submitted that as a matter of fact, no empty cartridge has been recovered from the place of occurrence. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that as per paragraph no. 30 of the case diary, the case has been found true against the accused persons including the petitioner and, therefore, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as also material available in the case diary, in my view, this is not a fit case for anticipatory bail, hence, I am not



inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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