

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18068 of 2025

Arising Out of PS. Case No.-365 Year-2024 Thana- BARH District- Patna

1. Chandrashekhar Singh @ Chandra Shekhar Kumar Son of Late Ram Kishori Prasad @ Kishori Mahto Resident of Village - Dabhawan (Dahama), P.S.- Bhadaur, District - Patna.
2. Chandradeep Singh @ Chandradeep Prasad Son of Late Ram Kishori Prasad @ Kishori Mahto Resident of Village - Dabhawan (Dahama), P.S.- Bhadaur, District - Patna.
3. Rajiv Ranjan @ Rajiv Ranjan Kumar Son of Late Ram Kishori Prasad @ Kishori Mahto Resident of Village - Dabhawan (Dahama), P.S.- Bhadaur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Barh P.S. Case No.365 of 2024 registered for the offences punishable under Sections 307, 120B, 34 of the IPC and 25(1-B)(a), 35, 27 of the Arms Act.

3. Earlier the bail application of the present petitioners was dismissed as withdrawn by this Court vide order dated 20.11.2024 passed in Cr. Miscellaneous No.



62756 of 2024.

4. As per the prosecution case, informant, namely, Kanchan Devi in her fardbeyan has stated that on 26.05.2024, she along with her mother and Mahesh Mahto reached at her land, where her husband alongwith other accused persons were hiding, seeing them they started abusing and assaulting and her husband Mritunjay Singh gave a bullet shot on her head, due to which, she fell down. When her mother came for rescue, her husband also given bullet shot on various parts of her body after which accused persons flee away from the spot, when people came on sound of firing and took them to Hospital. On demand of Sanjay Singh, one of the conspirator of this occurrence, she has made payment of Rs. 15000/- through phone-pay, which was due against her husband.

5. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that after completion of one year of the investigation, the Investigating Officer has found that allegations which were levelled against that petitioners were found not to be true and submitted his final form as not sent



up for trial but learned Magistrate has deffered his opinion from the Investigating Officer and rejected the final form and issued process of summon under Section 204 Cr.P.C. against all the accused persons including these petitioners.

6. However, learned APP for the State oppose the prayer for anticipatory bail of the petitioner.

7. On perusal of the first information report and impugned order dated 19.02.2025, it appears that during the course of investigation, the name of the petitioners transpired but in the conclusion report, the police/Investigating Officer found the case untrue against all the petitioners and accordingly, submitted final report as not sent up against the petitioners but the learned Magistrate deferred the opinion from the Investigating Officer and rejected the opinion of the Investigating Officer and issued process of summons against all accused persons including these petitioners under Section 204 of the Cr.P.C.

8. Considering above facts of the case, I am inclined to grant anticipatory bail to the above named petitioners, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender



before the court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Barh, Patna in connection with Barh P.S. Case No.365 of 2024.

(Ramesh Chand Malviya, J)

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