

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19063 of 2025

Arising Out of PS. Case No.-9 Year-2024 Thana- PIPRIYA District- Lakhisarai

Kanhaiya Singh @ Kanhaiya Kumar Son of Late Suresh Singh Resident of
Village- Ramchandrapur, P.S.-Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Pipariya P.S. Case No. 09 of 2024 dated 18.02.2024, instituted
for the offence punishable under Sections 341, 323, 307, 506
and 504/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. The prosecution case, in short, is that on the alleged
date of occurrence, co-accused Vikash Kumar parked his
motorcycle beside the dung kept in front of the house of the
informant. Thereafter, the informant and his grandmother asked
him to remove the motorcycle from there, but Vikash Kumar
started abusing and threatened to kill them. Then, Vikash Kumar
called the petitioner and three co-accused persons who were



armed with country made pistol. It is alleged that Anurag Singh fired upon the informant which hit his neck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that there is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus. It is submitted that there is a specific allegation is against co-accused Anurag Singh, who fired upon the informant. It is further submitted that the said Anurag Singh has been granted bail by this Court *vide* Criminal Miscellaneous No. 81564 of 2024. Lastly, it has been submitted that he has six criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pipariya P.S. Case No. 09 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Lakhisarai, subject to condition as



laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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