

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22982 of 2024

Arising Out of PS. Case No.-630 Year-2023 Thana- MANER District- Patna

Chandra Bhushan Singh Son of Late Awadh Bihari Singh Resident
Jamunipur, P.O. Neora, P.S. Bihta, District-Patna at present residing at 561,
type-2, Sector-5, R.K. Puram, South West, Delhi-110022

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
	:	Mr. Nagadeo Choubey, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

7 17-01-2025 Heard Mr. Anshul, learned Senior Counsel for the

petitioner and Mr. Sanjeev Kumar representing the informant as

also learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Maner P.S. Case No. 630 of 2023 for the offence
under Sections 302/34 of the Indian Penal Code, lodged on
30.08.2023 by the informant, Kunal Kumar.

3. As per the prosecution story, the informant alleged
that when his brother was sitting in his medical shop, due to
previous land dispute, the accused persons including the named
accused Jitendra Singh, Shashi Bhushan Singh and Chandra
Bhushan Singh under conspiracy sent Chunnu Rai and
Bishundhari Rai @ Sipahi Jee along with 4-5 unknown persons,
pretending as buyers of medicines, entered the shop and it is



alleged that while unknown persons asked for medicine, Chuunu Rai and Bishundhari Rai @ Sipahi Jee resorted to indiscriminate firing causing serious injury to the informant's brother. They later, retreated. He was rushed to the Paras Hospital where the Doctor declared him dead. The reason has been assigned that the informant was having land dispute with Jitendra Singh's family for which scuffle took place earlier and Jitendra Singh, Shashi Bhushan Singh and Chandra Bhushan Singh had warned him of dire consequences. Accordingly, the FIR.

4. Learned Senior Counsel for the petitioner submits that the role of indiscriminate firing is on Chunnu Rai and Vishundhari Rai @ Sipahi Jee while the three brothers namely Jitendra Sing, Shashi Bhushan Singh and Chandra Bhushan Singh (the petitioner herein) have been given the role of conspirators. It is his submission which has been brought by way of supplementary affidavit that Chandra Bhushan Singh always reside in Delhi but only because of land dispute all the brothers have been named. He has brought on record certain documents to show his presence in Delhi. It is his further submission that the petitioner do not have criminal antecedent, was earlier associated with the Income Tax Department and had absolutely no role in the present case. The last submission is that the two brothers namely Jitendra Singh and Shashi Bhushan Singh have been extended



relief by a coordinate Bench (Hon'ble Mr. Justice Prabhat Kumar Singh) in Cr. Misc. No. 19687 of 2024 vide order dated 02.04.2024.

5. Let the same be kept on record.

6. Learned counsel for the informant on the other hand opposes the prayer submitting that due to land dispute all the three brothers conspired which resulted into the killers who were assigned the said job by three conspirators to resort to indiscriminate firing leading to the death of an innocent person. He as such, opposes the prayer for anticipatory bail.

7. Having gone through the facts of the case and the materials available on record though the petitioner has been named as a conspirator and the main role has been assigned to Chunnu Rai and Vishundhari Rai @ Sipahi Jee, in view of the fact that two of the similarly placed co-accused namely Jitendra Singh and Shashi Bhushan Singh have been extended relief as incorporated above, this petitioner do not have criminal antecedent, is 62 years of age and according to learned Senior Counsel for the petitioner resides in Delhi, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, in connection with Maner P.S. Case No. 630 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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