

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20034 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Shivam Kumar, Male, aged about 25 years, Son of Ram Janam Ray, Resident
of village - Hilalpur, P.S.- Industrial Area, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the Opposite Party : Mrs. Gulnar Begum, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Industrial Area P.S. Case No. 78 of 2024 dated 25.06.2024 registered for the offences punishable under Sections 302, 120B read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the informant and his brother, Amarjeet Kumar were purchasing vegetables at Pethiya, the meantime, the petitioner and the co-accused persons surrounded and abused them. On being objected, they started assaulting them. The informant and his brother fled away in the field, but the co-accused persons Ranjeet Kumar, Pappu Kumar



and Raushan Kumar fired from the country made katta and pistol on the head, back and waist of the informant's brother leading to his death due to previous dispute under conspiracy with one another.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no specific allegation against the petitioner. The specific allegation of firing on the informant's brother is against the co-accused Ranjeet Kumar, Pappu Yadav and Raushan Kumar. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from the possession of the petitioner. The other co-accused person Amresh Kumar @ Amaresh Ray has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 73464 of 2024 vide order dated 18.10.2024. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 78 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

