

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50075 of 2024

Arising Out of PS. Case No.-55 Year-2022 Thana- KOILWAR District- Bhojpur

Ajay Singh, Son of Late Tejan Singh, Resident of Village – Rup Bandh, P.S.- Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 17-01-2025 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Koilwar P.S. Case No. N. 55 of 2022, registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per case of prosecution, 26 named accused persons including petitioner alongwith 30-35 unknown persons resorted to indiscriminate firing leading to the death of the father of the informant and also one other person, who



died on the spot itself.

4. Learned counsel appearing on behalf of the petitioner submitted that except naming this petitioner being part of crowd, no specific allegation raised against him for any overt act. It is submitted that even the *post-mortem* report does not corroborate the allegation levelled in the FIR and, moreover, the informant of this case cannot be said an eye-witness of the occurrence. While concluding the argument, it is submitted that similarly situated co-accused persons namely, Kallu Ray and Krishna Singh have already been granted anticipatory bail by learned co-ordinate Bench of this Court through Cr. Misc. No. 66082 of 2022 dated 25.02.2023 and Cr. Misc. No. 72859 of 2022 dated 29.04.2023 respectively.

5. Learned APP while opposing the prayer of anticipatory bail submitted that petitioner was named in FIR and collectively participated in the alleged occurrence.

6. Considering the aforesaid facts and circumstances, and by taking note of fact as the informant is not the eye-witness of the occurrence, where the allegation is



appearing a very general and omnibus against the petitioner, coupled with fact that several other similarly situated co-accused persons have already granted anticipatory bail by a different learned co-ordinate Benches of this Court, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara/concerned Court, where the case is pending in connection with Koilwar P.S. Case No.55 of 2022, subject to the conditions as laid down under Section 438(2)/482(2) of BNSS.

(Chandra Shekhar Jha, J)

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