

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44516 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- CHANDRADIP District- Jamui

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Vikash Kumar Singh @ Shankar Kumar, S/o Shambhu Singh, R/o Vill. -
Noni, P.S. - Chandradip, Distt. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Shankar Kumar, Advocate
For the State : Mr. Binod Kumar, Addl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

4 16-12-2025 Heard Mr. N.K. Agrawal, the learned Senior Advocate

assisted by Mr. Shankar Kumar, the learned Advocate for the

petitioner and Mr. Binod Kumar, the learned Addl. Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Chandradip P.S. Case No. 252 of 2024
registered for the offences under Sections 126(2), 115(2), 109
and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has



alleged that his son had entered into a quarrel with co-villagers, namely, Shankar Kumar (petitioner), Ayushman Kumar and Suraj Kumar. It has been alleged that one of the persons among the three took out a pistol and shot at the son of the informant, who sustained injuries on his chest and fell down. It has further been alleged that the son of the informant was taken to hospital and he was under treatment.

4. The learned Senior Advocate appearing for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident as alleged has occurred. It has been submitted that even as per the F.I.R., it would be evident that there is no specific allegation of any overt act against the petitioner and only an assumption has been made that out of the three named accused persons, one has shot at the informant's son. It has next been pointed out that even during the course of investigation, the eye-witnesses have also not divulged the name of the exact person who has shot at the son of the informant.

5. The learned Senior Advocate has also drawn the attention of this Court towards a compromise petition filed before the learned Trial Court, whereby with the intervention of the well-wishers, a compromise has been entered into between the informant and the petitioner.



6. It has lastly been submitted that the petitioner has clean antecedent.

7. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and has submitted that the son of the informant was shot at by one of the three named accused persons and the petitioner was one of them.

8. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Chandradip P.S. Case No. 252 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative.



(ii) The petitioner shall remain physically present before the concerned Court/successor Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioner will be liable to be cancelled by the concerned Court/successor Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail-bonds.

(v) The concerned Court/successor Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail-bonds. However, the acceptance of bail-bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

10. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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