

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51154 of 2025**

Arising Out of PS. Case No.-160 Year-2024 Thana- DHANSOI District- Buxar

Uttam Singh @ Uttam Kumar Son of Tej Pratap Singh R/O Vill.- Mahadevan,  
P.S.- Dhansoin, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-07-2025                      Heard Mr.Dr.Kamal Deo Sharma, learned counsel  
for the petitioner, learned counsel for the informant and Ms.Dr.  
Indihar Kumari, learned Additional Public Prosecutor for the  
State.

2. The petitioner is apprehending his arrest in  
connection with Dhansoi P.S. Case No.160 of 2024, dated  
08.11.2024 registered for the offences punishable under  
Sections 191(2),191(3),190,109,352 of Bhartiya Nyaya Sanhita,  
2023 and Section 27 of the Arms Act.

3. Prosecution case in short is that, the present case  
has been instituted on the basis of typed application of  
informant Jitendra Singh, who has alleged therein that, on  
08.11.2024 at 4.30 P.M. his son Rahul Kumar was sitting at his  
door with her mother when his co-villagers namely Mukesh



Singh, Uttam Singh, Abhishek Singh, Suman Singh and 10 other unknown persons came there firing on motorcycle. Mukesh Singh shot his son Rahul Kumar @ Raja in his stomach and when informant his family members reached there, the accused persons fled away firing.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is specific allegation of firing attributed against co-accused person, namely, Mukesh Singh and petitioner is at best a member of the mob and there is no specific allegation of any assault, overt-act or firing attributed against the petitioner and similarly situated co-accused person, namely, Suman Singh @ Raj Kumar Singh @ Raju Kumar Singho has been granted privilege of anticipatory bail by this Court vide order dated 07.05.2025 passed in Cr. Misc. No.25155 of 2025.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the FIR and apart from that, he has participated in the present crime in question.

6. Considering the aforesaid facts, petitioner has clean



antecedent, there is no specific allegation of any assault, overt-act or firing attributed against the petitioner, there is specific allegation of firing attributed against co-accused person, namely, Mukesh Singh and similarly situated co-accused person, namely, Suman Singh @ Raj Kumar Singh @ Raju Kumar Singho has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S. Case No.160 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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