

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58274 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Marnga District- Purnia

Amarnath Kumar Singh @ Babul Singh S/o Shalendra Kumar Singh R/o
Village- Malldiha, P.S.- Barhara Kothi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 111, 109 of the B.N.S., 2023 & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his son Sakim along with Haider deal in sale and purchase of land, further they got executed an agreement for sale in their favour with regard to 2 acres of land, next alleges that his son and Haider had gone on the land on 17.02.2025, when informant got an information that 40-50 people have gathered near the land, accordingly he came to the place of



occurrence and heard gunshot and further on hearing gunshot, all 40-50 persons started fleeing, thereafter it is alleged that informant saw that his son was shot in the mouth and Haider was also injured. It is next alleged that the informant identified 18 named accused persons who were fleeing from the place of occurrence including the petitioner. Thereafter the injured were taken to hospital for treatment.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that no doubt, son of the informant received gunshot injury but then from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence. It is also submitted that since petitioner was also present at the place of occurrence along with other persons as such on hearing gunshot, he started fleeing. It is submitted that neither the petitioner has any interest in the land nor the petitioner knew the son of the informant but then since he is a resident of a nearby village, on seeing that people have gathered at the place occurrence as such out of inquisitiveness, he also came to the place of occurrence when the occurrence is alleged to have taken place.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though informant is not an eyewitness to the occurrence but then what is not in dispute rather stands admitted is that his son was shot in the mouth. It is also submitted that petitioner is named in the F.I.R. It is next submitted that petitioner himself in the anticipatory bail application has taken a plea that he is not resident of the village of the informant then what was the petitioner doing at the place of occurrence. It is also submitted that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maranga



P.S. Case No.52/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. Further, one of the bailors of the petitioner shall be his father, namely, Shailendra Kumar Singh.

8. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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