

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77536 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- FATUA District- Patna

Indrajit Kumar, Son of Dipnath Singh Resident of Village- Surgapur, P.S.-
Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kumar Chaudhary

For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302/ 34 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the informant
alleges that on 14.09.2023 at about 10.00 P.M., when she was at
her home and her elder son Pradeep Kumar was coming back
after milking the cattle, when outside the village near a school
13 named accused persons including the petitioner waylaid with
rifle and kutta and started indiscriminate firing on him causing
injury on chest and he died. Further, the occurrence is alleged to



have taken place on account of dispute relating to land.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion on account of dispute relating to land. It is also submitted that though there is an allegation in the FIR that indiscriminate firing was resorted to but then, Pradeep only suffered one gunshot injury on his chest, as such, the allegation of indiscriminate firing has been made only to give serious colour to the case. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on bail 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 learned Additional Chief Judicial Magistrate-



1, Patna City, Patna in connection with Fatuha P. S. Case No.702 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall come to an end.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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