

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76590 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- MUNGER MUFFASIL District- Munger

AMIT SAH @ AMIT KUMAR S/o Late Keshav Sah @ Keshav RESIDENT
OF VILLAGE- TIKARAMPUR, P.S.- MUFFASIL, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

Mr. Surya Narayan Sah

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 18-01-2025 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 307, 504 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and has been falsely implicated in the instant case by the informant. It is further submitted that co-accused Sri Niwas Sah @ Sri Niwas had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 43894 of 2024 and the same was allowed by an order dated 20.11.2024 after hearing the learned counsel appearing on behalf of the informant in that case, with a



condition that *“the learned Trial Court before accepting the bail bonds of Sri Niwas Sah shall verify his criminal antecedent and in the event if it is found that Sri Niwas Sah has antecedent of even one case in that event, the anticipatory bail order shall not be given effect to.”*

4. It is submitted that Sri Niwas Sah surrendered before the learned Trial Court and was released on anticipatory bail.

5. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that his father was shot by the accused persons including the petitioner, but then from perusal of the postmortem report annexed as Annexure-2 to the bail application, it would manifest that the same does not even remotely suggest that the deceased died on account of gunshot injury rather records that cause of death was septicemic shock due to infection of brain matter. It is also submitted that petitioner is in custody since 04.04.2024.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.



10,000/- (Rupees Ten 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 Munger Muffasil P.S. Case No. 15 of 2024.

8. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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