

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81564 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- PIPRIYA District- Lakhisarai

Anurag Singh, Son of Sriram Singh, R/O Vill.- Ramchandrapur near Durga
Mandir, P.S.- Pipariya, Dist.- Lakhisarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Pipariya P.S. Case No. 09 of 2024 dated 18.02.2024, instituted
for the offence punishable under Sections 341, 323, 307, 506,
504/34 of the Indian Penal Code and Section 27 of the Arms
Acts.

3. The prosecution case, in short, is that on the alleged
date of occurrence, co-accused Vikash Kumar parked his
motorcycle beside the dung kept in front of the house of the
informant. Thereafter, the informant and his grandmother asked
him to remove the motorcycle from there, but Vikash Kumar
started abusing and threatened to kill him. Then Vikash Kumar
called the petitioner and three co-accused persons who were



armed with countrymade pistol. It is alleged that the petitioner fired upon the informant which hit his neck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that from perusal of the injury report (page 26 of the case diary), it appears that the date of the injury report is 18.02.2024, and the injured was examined at 09:20 am, but the same was signed by the doctor of PHC Pipariya, Lakhisarai on 16.04.2024. The doctor found two injuries on the body of the informant which are as follows:- (i) gun shot meatus on nape of neck intrinsic wound (ii) right lateral side of throat extrinsic wound. The nature of injury has not been disclosed due to non-availability of X-ray report and CT-Scan of neck. Learned counsel for the petitioner further submits that till filing of the charge sheet, the investigating officer has not recorded statement of the informant despite several notice given to the informant to record his statement as well as to produce the treatment paper before the Investigating Officer. This fact has been mentioned in paragraph nos. 51, 58, 66, 71 & 76. Except the alleged injury report, the informant has not produced any paper with regard to the injury. The injury report is false and fabricated. Lastly, it has been



submitted that the petitioner is in custody since 03.09.2024 having four criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Pipariya P.S. Case No. 09 of 2024, subject to the 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is



made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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