

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88977 of 2024

Arising Out of PS. Case No.-99 Year-2006 Thana- KUDRA District- Kaimur (Bhabua)

Sri Ram Kushwaha @ Sri Ram Singh S/O Vikarma Singh R/O Village-
Kharahariya, P.S. Sonhan, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-07-2025 Heard the learned counsel for the petitioner as well
as learned APP for the State.

2. Earlier anticipatory bail petition of the petitioner
was rejected by this Court vide order dated 08.09.2022 in Cr.
Misc. No. 57677 of 2021.

3. Learned counsel for the petitioner has submitted
that the petitioner is not named in the FIR and during
investigation, no material emerged against him. On the basis of
the deposition of two witnesses, Uma Shankar Singh (PW-1)
and Bipin Singh (PW-3), he has been summoned under Section
319 of the CrPC. During trial, for the first time, these two
witnesses stated that the petitioner was standing at the place of
occurrence where Sanju Tiwary fired on the deceased with
firearms.



4. The petitioner was not sent up for trial. These two witnesses, PW-1 and PW-3, did not name the petitioner in their respective statements recorded under Section 161 of the CrPC. On similar footing, co-accused Radhey Shyam Tiwary has been granted anticipatory bail in Cr. Misc. No. 36766 of 2024.

5. Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Kaimur at Bhabua in connection with Kudra P.S. Case No. 99 of 2006, subject to condition as laid down under section 438(2) Cr.P.C.

6. The petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial, and if he fails to appear on two consecutive dates unless he is prevented by extremely adverse circumstances, the court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

Nirmal/-

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