

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49211 of 2019

Arising Out of PS. Case No.-120 Year-2012 Thana- BEUR District- Patna

BRINDA SINGH @ BINDU SINGH, aged 55(M), Son of Late Bharat Singh
Resident of Village - Mokar Daulatpur, P.S.- Korayna, District - Jehanabad
and at present Resident of Mohalla- A/238, P.C. Colony, P.S.- Kankarbagh,
District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-10-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 307, 120B, 511 & 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 27.07.2012 at about 2.50
p.m., while he was going to his official residence along with his
bodyguard Ravi Prasad Sinha and Sanjay Kumar. Three accused
persons sitting on motorcycle fired upon him. One pellet
crossed touching his right ear. Thereafter, the informant
ran towards the prison office and two more shots were fired at
him but somehow he escaped and reached the office and
informed the senior officers. Two empty cartridges and one
loaded magazine were recovered from the place of



occurrence. His bodyguard also made one round firing but all the three miscreants managed to flee away.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. It has further been submitted that at the time of occurrence, petitioner was languishing in jail. Petitioner has been remanded in this case on 23.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sessions Trial No.590(A)/2013 arising out of Beur P.S. Case No.120 of 2012, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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