

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45284 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- SHAMBHUGANJ District- Banka

Pawan Kumar Singh @ Pawan Singh, Son of Late Anandi Prasad Singh,
Resident of Village-Shobhnathpur, P.S.-Shambhuganj, District-Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr.Pawan Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 10.06.2018 in connection with Sessions Trial No.303 of 2018 arising out of Shambhuganj P.S. Case No.35/2018, G.R. No.724/2018 registered for the offence under Sections 147, 148, 149, 323, 324 and 302 of the Indian Penal Code.

Mr. N.K. Agrawal, learned Senior Counsel appearing on behalf of the petitioner submits that the allegation against the petitioner is that the informant along with his father and his elder son were sitting at his doorstep, whereupon the petitioner as well as other accused persons, who are named in the column of the accused, came and



attacked the father of the informant leading to serious injuries which ultimately resulted in his death. Learned counsel for the petitioner further submits that the F.I.R. in the case was recorded on 27.02.2018 whereas the date of occurrence is 12.02.2018 and finally, the registration of the said F.I.R. came about only on 07.03.2018. Learned counsel for the petitioner further submits that there is general and omnibus allegation of assault by all the persons so named in the F.I.R. and considering this fact, this Court, vide its order dated 10.10.2018, has granted the privilege of bail to one Puja Kumar Singh and Rabish Kumar Singh @ Ravi Kumar Singh in Cr.Misc. No.61949 of 2018 and subsequent thereto also, in another case, similarly situated co-accused, namely, Manoj Kumar Singh has also been granted bail in Cr.Misc. No.6294 of 2019, vide order dated 06.02.2019. He thus prays that since the petitioner has already been in custody for more than a year and half, he may be extended the privilege of bail. He further submits that the Court which had earlier rejected the prayer for bail had not been inclined to consider the two orders which were passed by the co-ordinate Benches and have declined to grant bail and as such, the petitioner has been languishing in jail. He thus submits that the petitioner will co-



operate in the trial and be present as and when required and will not prejudice or cause any further delay in conclusion of the trial. Learned counsel for the petitioner also submits that the petitioner shall also furnish sureties in the shape of local bailors and take all possible steps to co-operate in the trial.

Considering the aforementioned facts and circumstances and the period of custody and that other similarly situated co-accused persons have since been extended the privilege of bail, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, Banka, in connection with Sessions Trial No.303 of 2018 arising out of Shambhuganj P.S. Case No.35/2018, G.R. No.724/2018.

(Anjana Mishra, J)

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