

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51401 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- SINGHIYA District- Samastipur

1. Deepak Kumar Singh Son of Late Ram Nandan Singh Resident of Village - Mahe, P.S.- Singhia, District - Samastipur.
2. Bipin Kumar Singh Son of Late Ram Nandan Singh Resident of Village - Mahe, P.S.- Singhia, District - Samastipur.
3. Gaurav Kumar Singh Son of Deepak Kumar Singh Resident of Village - Mahe, P.S.- Singhia, District - Samastipur.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr.SNP Sinha, Senior Advocate and Mr. Jitendra Narain Sinha, Advocate
For the State	:	Mr.R B Roy Raman, Addl Public Prosecutor
For the informant	:	Mr. Jagdish Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the parties and perused the case diary.

Petitioners apprehend their arrest in a case registered for the offence under sections 302, 307 and 120B of the Indian Penal Code read with section 27 of the Arms Act.

It is submitted on behalf of the petitioners that as per the allegation, it was co-accused Vinay Kumar Singh, who fired at the informant's father who was taken to the hospital where doctor declared him dead. Co-accused Vikram Singh fired upon Manas Kumar Singh injuring him on his right buttock. There is no allegation of overt act against the petitioners, except being members of a mob. There is a case and counter case. It is further submitted that the parties are agnate and the instant case is an outcome of family feud. Petitioner no.1 is accused in one another case also, whereas petitioner nos. 2 and 3 have no criminal antecedent. Similarly situated co-accused Saurav



Kumar Singh has already been allowed bail by a bench of this Court vide order dated 30.8.2019, passed in Cr.Mis.No. 53508/2019.

Learned counsel for the informant opposes the prayer for bail.

In view of the facts and circumstances of the case, prayer for bail of the petitioner no.1 (Deepak Kumar Singh) is rejected with direction to surrender and seek regular bail within a period of six weeks.

Prayer for bail of petitioner nos. 2 and 3 is allowed. In the event of arrest/surrender within six weeks, let them (Bipin Kumar Singh and Gaurav Kumar Singh) be released on bail on their furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Rosera, Samastipur in Singhia Police Station Case No. 57 of 2019, on the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

