

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54307 of 2019

Arising Out of PS. Case No.-189 Year-2016 Thana- AKBARPUR District- Nawada

Pappu Singh @ Pappu Kumar Singh Son of Karu Singh Resident of Village-
Karam, Police Station- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the State	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 30-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.06.2018 in connection with Akbarpur P.S. Case No. 189 of 2016 registered for the offence under Sections 147, 148, 149, 302, 385 and 504 of the Indian Penal Code and Section 27 Arms Act.

Learned senior counsel for the petitioner submits that earlier the prayer of the petitioner for grant of regular bail was rejected by this Court and as the trial unfolded, during course of the trial there appear to be changed circumstances which has encouraged the petitioner to file the present case, renewing his prayer for bail. Learned counsel for the petitioner has drawn attention of this Court to the deposition which have come during course of trial in Sessions Trial No. 409 of 2018/Sessions Trial



No. 48 of 2018, wherein the informant himself has given altogether different pictures and the statements of the informant also stand supported by other family members and son of the deceased. Both the persons, namely, Ram Prakash (informant) and Nisu Singh, son of the deceased have stated that they have not seen who had fired the shot. Instead of both affirmed that the attack took place when the 'Nartaki' was dancing on the stage and people were enjoying and firing indiscriminately. It was during course of such indiscriminate firing the gun shot hit to his father and fell down on the stage. The son of the deceased at para 2 in his cross-examination has categorically stated that the accused Pappu Singh, Karu Singh, Tisu Singh, Mituhu Singh and Subhash Singh had not fired at his father.

In view of the new facts which have come during course of depositions, which has altogether changed the fabric of the prosecution story and also because the present petitioner has no criminal antecedent except two other cases under the Excise Act in which the petitioner has already been extended the privilege of bail, the petitioner may thus be enlarged on bail.

Considering the aforementioned facts and circumstances, 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 court of learned Additional Sessions Judge-II, Nawada in connection with Akbarpur P.S. Case no. 189 of 2016 (Sessions Trial No. 409 of 2018/Sessions Trial No. 48 of 2018).

(Anjana Mishra, J)

S.Katyayan/-
Rahul/-

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

