

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26367 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- BATHNAHA District- Sitamarhi

LOKESH KUMAR SINGH Son of Chandeshwar Singh R/o Village- Khairvi,
P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Narendra Kr. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-10-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Narendra Kr. Singh, the learned APP for the State.

The petitioners seek regular bail in connection with Bathnaha PS case no. 29 of 2020 instituted for the offences punishable under Sections 385, 307, 341 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding the accused persons including the petitioner herein having arrived at the house of the informant, whereafter they had demanded a sum of Rs. 50,000/- as extortion money and upon a protest being made by the informant, the petitioner had abused as also he is stated to have



opened fire upon the son of the informant causing firearm injury to him.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that though the petitioner is an accused in one other case but he is on bail in the said case. The learned counsel for the petitioner has also referred to the injury report of Satish Kumar, annexed as Annexure 2 which reveals that only superficial injury has been found on the left ear and no serious injury has been inflicted on the said Satish Kumar. Lastly, it is submitted that the petitioner is languishing in custody since 18.02.2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the injury sustained by the injured person, attributable to the petitioner herein, has not been found either serious or grievous in nature and moreover, the petitioner is languishing in custody since 18.02.2020, I deem it fit and appropriate to grant bail to the petitioner, however subject to certain conditions. Accordingly,



the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Sitamarhi in connection with Bathnaha PS case no. 29 of 2020.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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