

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21642 of 2020

Arising Out of PS. Case No.-748 Year-2019 Thana- BUXAR District- Buxar

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TARA BABU SINGH @ TARBABU SINGH Son of Late Brij Bihari Singh
Resident of Koirpurwa Khalasi Mohalla, P.S.- Buxar (Town), District - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Verma, Advocate
For the State : Mr. Atul Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-07-2020 Heard Mr. Sanjay Kumar Verma, learned counsel for

the petitioner and Mr. Atul Chandra, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the Stamp Reporter
within eight weeks.

Petitioner seeks regular bail in connection with Buxar
Town P.S. Case No. 748 of 2019 registered for the offences
punishable under Sections 147, 148, 149, 448, 357, 120B of the
Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation against the petitioner as per the written
report of the SHO Buxar Town is that on 22.10.2019 the
petitioner along with other co-accused persons named in the
First Information Report along with 100 unknown persons



arrived at the land of the informant with arms and started constructing a wall. It has further been alleged that all the accused persons resorted to firing causing injuries to three persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as on the basis of the statement made by the petitioner, Buxar Town P.S. Case No. 747 of 2019 was registered under Section 302 and other allied Sections of the Indian Penal Code and the informant Rishikesh Rai of the present case is also an accused in Buxar Town P.S. Case No. 747/2019. Learned counsel further submits that the present case has been lodged by the informant in order to create defence in his favour. Learned counsel further submits that the petitioner in the First Information Report lodged by him has alleged that all the accused persons named therein made indiscriminate firing and one Bullu Rai @ Bhuli Rai fired upon Raghvendra Pratap Singh @ Shera Singh, due to which he died during course of treatment. It has further been alleged in the First Information Report that Rishu Rai fired upon Suryajeet Singh @ Tunna Singh and one villager also sustained injury and Tunna Singh was found lying in mysterious condition. Learned counsel further submits that no specific



allegation of assault has been levelled against the petitioner and the petitioner along with other co-accused persons have been made accused in this case. Learned counsel also submits that for the same transaction two First Information Reports have been lodged by the Police inasmuch as Buxar Town P.S. Case No. 745 of 2019 has also been lodged against the petitioner and other co-accused persons under the Arms Act in which the petitioner has been granted bail by this Court in Cr. Misc. 21852 of 2020. Learned counsel also submits that similarly situated co-accused persons namely, Neeraj Singh @ Ram Babu, Tilak Singh, Nand Kishore Singh, Dharendra Singh along with Pawan Kumar @ Pawan Kumar Singh have been granted regular bail by coordinate Benches of this Court vide orders dated 24.06.2020, 29.02.2020 and 27.02.2020 passed in Cr. Misc. Nos. 7440 of 2020, 10908 of 2020, 7067 of 2020 and 5388 of 2020 respectively.

Having regard to the submissions made by the parties and taking into consideration the fact and circumstances in totality and the facts that similarly situated co-accused persons have been granted regular bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.25,000/-
(Twenty five thousand) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Buxar, in connection with Buxar Town P.S. Case No. 748 of
2019.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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