

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24454 of 2020

Arising Out of PS. Case No.-4 Year-2019 Thana- JURAWANPUR District- Vaishali

HARENDRA SINGH Son of Late Nirsu Singh Resident of Village-
Chaksingar, P.S.- Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Nilesh Kumar, Adv. Ms. Vaishnavai Singh, Adv.
For the Opposite Party/s	:	Mr. Rajesh Kumar, APP
For the Informant	:	Mr. Surendra Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-09-2020 Heard Mr. Nilesh Kumar No.2, learned counsel for the petitioner, Mr. Surendra Kumar Mishra and Mr. Rajesh Kumar, Additional Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with Jurawanpur PS Case No. 04/2019 registered for the offence punishable under Section 341, 323, 324, 307/34 of the IPC and under Section 27 of the Arms Act to which Section 302 IPC was added.

3. The allegation against the petitioner as per First Information Report is that on the instigation of the petitioner the co-accused, Harendra Rai and Sanjiv Singh @ Bauwa fired



upon the father of the informant leading to his death.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and from perusal of the FIR, at best, it can be said that the petitioner was an order giver. Learned counsel further submits that there is land dispute between both the parties owing to purchase of a piece of land from one Devmati Devi @ Sulekha Devi. Learned counsel further submits that out of seven case which have been stated as antecedents in para-3 of this application, five case were lodged by the side of informant against the petitioner and two case are very old which are of the year 2003 and 2010.

5. Learned counsel submits that the petitioner is in custody since 16.11.2019.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner has got criminal antecedents in so many cases which are pending against him. As such, he does not deserve privilege of bail.

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is an order giver and is in custody since 16.11.2019, I am inclined to grant regular bail to the petitioner.



8. Accordingly, let the petitioner, HARENDRA SINGH be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Vaishali, Hajipur in connection with Jurawanpur PS Case No. 04/2019.

9. 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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