

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25627 of 2020

Arising Out of PS. Case No.-65 Year-2020 Thana- AANDAR District- Siwan

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AMAR SINGH @ AMARNATH SINGH S/o Late Anup Singh Resident of
Village-Chitaur, P.S.-Aandar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sandeep Kumar Shahi, Mr.Alok Kumar @ Alok Kr Shahi, Advocates
For the Informant	:	Mr. Krishna Kant Singh, Adv.
For the State	:	Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-11-2020 Heard Mr. Sandeep Kumar Shahi, learned counsel
for the petitioner, Mr. Krishna Kant Singh, learned counsel for
the Informant and Mr. Nawal Kishore Prasad Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Aandar PS Case No. 65/2020 registered for the offence
punishable under Sections 302, 307/34 of the IPC.

3. The allegation, as per First Information Report, is
that on 21.05.2020, when the informant along with his brother,
namely, Anish Kumar Singh (deceased), was returning from
Aandar Bazar, they were intercepted by the petitioner along with
other accused persons and on the order given by co-accused,
Baliram Singh, another co-accused, Babunand Singh fired upon



the brother of the informant leading to his death. It is further alleged that petitioner fired upon the informant but the bullet did not hit him.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and from perusal of the first information report, it would be evident that due to village politics the petitioner has been implicated in this case. Learned counsel for the petitioner further submits that a counter case was also lodged bearing Aandar PS Case No. 94/2020 by the side of petitioner for the incident which has taken place on the same date and time.

5. Learned counsel next submits that petitioner is not an assailant and the firing made by him did not hit the informant. Learned counsel further submits that the co-accused, Baliram Singh has been granted bail by this Court vide Cr. Misc. No. 25625/2020.

6. On the other hand, learned counsel for the informant as well as learned APP, vehemently, opposed the prayer for bail of the petitioner. Learned counsel for the informant, referring to para-10 of the case diary, submits that during course of investigation, it has come to light that the petitioner caught hold of the deceased and on the order of co-



accused, Baliram Singh, another co-accused, Babunand Singh fired upon the brother of the informant leading to his death. Learned counsel further submits that the co-accused, Baliram Singh has been granted bail by this Court after framing of charge.

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is not the assailant and the co-accused, Baliram Singh has been granted bail by this Court **after framing of charge**, I am inclined to grant regular bail to the petitioner after framing of charge, subject to the conditions that (1) petitioner shall fully co-operate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner and (2) petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

8. Accordingly, let the petitioner, AMAR SINGH @ AMARNATH SINGH be released on bail, **after framing of charge**, 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-IX,



Siwan in connection with Aandar PS Case No. 65/2020.

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

(Anil Kumar Sinha, J)

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