

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25625 of 2020

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

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Bali Ram Singh, Male, aged about 70 years, 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.Alok Kumar @ Alok Kr Shahi, Advocate
For the State	:	Mr.Pronoti Singh, A.P.P.
For the Informant	:	Krishnakant Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2020 Heard learned counsel for the petitioner, the State and the informant through the virtual court proceeding.

The petitioner seeks bail in connection with Aandar P.S. Case No. 65 of 2020 registered for the offences punishable under Sections 302, 307/34 of the Indian Penal Code.

The present case has been instituted on the basis of written statement of the informant namely Manish Kumar Singh @ Ranu on 21.05.2020, who stated inter alia as follows :

i. On 21.05.2020 about 6:00 p.m. the informant along with his brother namely Anish Kumar Singh (deceased) were returning back from Aandar Bazar then at the Kali Asthan of his village 1. Bali Ram Singh (P), 2. Babunand Singh @ Sunil Singh, 3. Amar Singh called both of them.

ii. Thereafter, the petitioner asked the informant's brother that despite his order they were preparing for Mukhiya



election then the informant's brother replied that he will contest the election and on the same the petitioner ordered to kill him.

iii. Thereafter, Babunand Singh fired shots on the informant's brother with his country made pistol upon which his brother fell on the ground.

iv. It is further alleged that the informant tried to save his brother then Amar Singh also fired on him with his country made pistol but he survived.

v. All the above persons attacked both of them under conspiracy with intention to kill them but the informant survived and sustained injury only and his brother died.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village politics and has committed no offence as alleged in the F.I.R. As per the F.I.R., it is evident that the allegation against the petitioner is that he had given the order to kill the informant's brother (deceased). He further submits that the a counter case bearing Aandar P.S. Case No.94 of 2020 was lodged by one of the co-accused namely Amarnath Singh from P.M.C.H., Patna under Sections 341, 323, 504, 307, 324/34 of I.P.C. on which petitioner has also put his signature. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 28.05.2020.

Learned counsel for the informant submits that the petitioner along with co-accused has surrounded the deceased and by order of the petitioner, the other accused person has fired upon the deceased.



I have perused the record including the case diary. The allegation against the petitioner is that the petitioner is only order giver in the present case.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail after framing of charge on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Siwan in connection with Aandar P.S. Case No. 65 of 2020.

(Anjani Kumar Sharan, J)

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