

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16520 of 2021**

Arising Out of PS. Case No.-183 Year-2020 Thana- CHAKIA District- East Champaran

Savitesh Singh @ Sabitesh Singh, Son of Arun Singh, Resident of Village-
Dharampur Gavandra, P.S. - Chakia, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 21-10-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Chakia
P.S. Case No.183 of 2020 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

Three persons along with the petitioner riding on
two motorcycles arrived at the informant's house, whereafter it
is alleged that her husband accompanied them. Later when he
did not return, then the informant's family members had made
search and in course of search, they had seen co-accused
Kundan Thakur fire upon her husband. Petitioner is stated to be
one amongst the three persons.

Counsel for the petitioner submits that the fatal
assault is specifically attributed against co-accused Kundan



Thakur. The petitioner has no criminal antecedents and is in custody since 20.08.2020. His implication is based on suspicion and village politics. It is further submitted that in the first part of the allegation, the petitioner has been named, but there is no allegation that the informant's husband was taken away by force.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Mrityunjay Kumar, learned Judicial Magistrate, 1st Class, Motihari, East Champaran, in connection with Chakia P.S. Case No.183 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is



related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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