

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17211 of 2021**

Arising Out of PS. Case No.-314 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

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ARJUN SINGH SON OF LATE RAMASHRAY SINGH Resident of Village -
Chunni, P.S.- Buxar (M), Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution case, on 30.09.2020, the son of the informant, namely, Shalindra Kumar Singh (deceased) went to sleep at the residence of this petitioner and around 3 O'clock, informant came to know that his son has been shot and lying injured and when the informant reached the place of occurrence, he found his son dead. The informant suspects that the petitioner along with other co-accused persons named in the F.I.R., have committed the murder of his son Shailendra Kumar Singh, due to previous enmity.

It is submitted on behalf of the petitioner that the



petitioner has been made accused only on suspicion. It is further submitted that informant is not an eye-witness of the case and the dead-body has been recovered from the house of Shiv Shankar Paswan and not from the house of this petitioner. Petitioner has got no criminal antecedent and he is in custody since 02.10.2020. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 2963 of 2021.

However, learned counsel appearing on behalf of the informant vehemently opposed the bail application and submitted that there is allegation against this petitioner that he and other accused persons committed murder of the deceased.

Considering the facts and circumstances of the case and the fact that petitioner has been made accused only on suspicion and no material has been recovered to connect this petitioner with the aforesaid offence, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar, in connection with Buxar (M) P.S. Case No. 314/2020, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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