

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16752 of 2021**

Arising Out of PS. Case No.-118 Year-2019 Thana- MORKAHI District- Khagaria

NAND KISHORE SINGH Son of Jagdev Singh Resident of Village -
Morkahi - Icharua, P.S.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 342, 307,
504, 506 of the Indian Penal Code and Section 27 of the Arms
Act.

Prosecution case is that when the informant was
ploughing his field, six persons armed with lathi-danda and
pistol surrounded the informant and his father. Thereafter, the
accused persons opened fire due to which the informant and his
father received firearm injuries.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that the specific allegation of firing is against



three other co-accused namely Rambilash Singh, Indradev Singh and Gyani Kumar and not against this petitioner. He submits that similarly situated co-accused has been granted bail by a Bench of this Court in Cr. Misc. No. 2139 of 2021 on 07.04.2021. He further submits that petitioner is languishing in judicial custody since 08.07.2020.

However, learned APP for the State opposes the prayer for bail submitting that both injured sustained firearm injury upon them and injury of informant is grievous in nature.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Morkahi P.S. Case No. 118 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He 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



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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