

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11688 of 2021**

Arising Out of PS. Case No.-74 Year-2020 Thana- TARAPUR District- Munger

MAHESH SINGH S/o Late Rup Narayan Singh R/o village- Parbhara
(Parwar), P.S.- Tarapur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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

2 06-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Tarapur P.S.
Case No.74 of 2020, registered for the offence punishable under
Sections 147, 148, 149, 269, 270, 341, 323, 324, 307, 302, 504,
506 of the IPC and section 27 of the Arms Act.

As per the prosecution case one Rahul Kumar was driving
motorcycle rashly to whom nephew of the informant suggested
not to drive rashly in locality, as a result of which some
altercation took place between them. In the meantime, the
petitioner including others came there, started abusing and
pelting stone and brick-bat, due to which the informant
sustained injury on his head. It is further alleged that on the
order of the petitioner and one other, co-accused fired upon the



brother of the informant causing injury in leg and due to firing made by co-accused, hit in the stomach of the son of informant due to which, he died during treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. According to the FIR, petitioner was order giver and it is the co-accused Santosh Singh fired upon the brother of informant. Except an order giver, no specific role has been assigned against the petitioner. There is general and omnibus allegation against him. There is a case and counter-case between the parties and both sides have received injuries in the sudden fight. Similarly situated co-accused Ram Bilash Singh @ Ramu Singh has been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No.35562 of 2020 dated 22.12.2020. The petitioner is aged about 72 years having no criminal antecedent and has been languishing in custody since 24.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, since similarly situated co-accused has been granted bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional
Chief Judicial Magistrate, IV, Munger, in connection with
Tarapur P.S. Case No.74 of 2020.

(Anjani Kumar Sharan, J)

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