

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16493 of 2021

Arising Out of PS. Case No.-292 Year-2019 Thana- MAHARAJGANJ District- Siwan

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Anu Singh @ Anubhav Pandey, aged about 27 years, (Male) Son of Sri Bharat Kumar @ Bharat Pandey Resident of Village - Jigrawan, Maharajganj, P.S.- Maharajganj, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. P.K. Shahi, Sr. Adv. with Vipin Kumar, Adv.
For the Opposite Party : Ms. Rina Sinha APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 28-10-2021 Heard learned senior counsel for the petitioner and
learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Maharajganj PS Case No. 292 of 2019 instituted for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant's brother has been shot dead by unknown assailant in his shop.

The learned senior counsel for the petitioner, referring to the supplementary affidavit filed, submits that PW-1, PW-2



(brother of the deceased) and PW-3 (informant and brother of the deceased) have taken the dock in the trial and have neither identified the instant petitioner nor made any allegation against him. As per disclosure in paragraph No.3, there is one case pending against the petitioner arising out of business rivalry and that also is of the year 2017. Petitioner is in custody since 20.10.2020.

The learned APP representing the State has opposed the prayer for bail. However, the deposition brought on record, are not denied or disputed.

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 the learned Additional Chief Judicial Magistrate- V, Siwan, in connection with Maharajganj P. S. Case No. 292 of 2019, 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.

(Madhuresh Prasad, J)

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