

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20447 of 2021

Arising Out of PS. Case No.-159 Year-2019 Thana- SISWAN District- Siwan

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LAKHAN SINGH @ LAAKHAN SINGH S/O LATE BAIJNATH SINGH
R/o village- Bangra, P.S.- Daudpur, District- Saran at Chhapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Tarun Pd. Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Siswan (Chainpur) P.S.
Case No. 159 of 2019, registered for the offence punishable
under Sections 395, 397 of the Indian Penal Code.

As per the prosecution case, on 03.08.2019 at 9.30
pm, while the informant was washing his hand at the door, in the
meantime, 10-15 unknown persons came and fired upon him
causing gunshot injury on his ear. Thereafter, all the accused
persons forcibly entered the house and also assaulted family
members and looted away household article, jewellery, cash,
etc.

It is submitted on behalf of the petitioner that



petitioner is not named in the FIR. During course of investigation, petitioner has been arrested in Rasulpur PS case No. 114 of 2019 and on his own confession before the police his name surfaced in this case. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner has been remanded in this case on 27.07.2020. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Judicial Magistrate Ist Class, Siwan in connection with Siswan (Chainpur) P.S. Case No. 159 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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