

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22084 of 2021

Arising Out of PS. Case No.-195 Year-2017 Thana- MATIHANI District- Begusarai

=====

BUDHAN SINGH @ BUDDHAN SINGH Son of Ramsharan Singh @ Ram
Saran Singh Resident of Village - Ramdiri, Tola - Mahaji (Bhavanandpur),
P.S.- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the five named accused including the petitioner herein as also co-accused Ashok Singh are stated to have fired on the younger brother of the informant leading to his death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The postmortem report does not support the allegations in the FIR in so far as against the allegation of firing on five persons, only four injuries have been found on the body of the deceased. It is further submitted that co-accused Ashok Singh has been enlarged on bail vide order dated 29.9.2021 passed in Cr. Misc. no. 24777 of 2021. The petitioner is in



custody since 2.12.2019 and undertakes to cooperate in the trial in the learned Court below.

The application for bail is opposed by learned APP for the State who submits that there is direct allegation of firing against this petitioner which is supported by the contents of the postmortem report.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to the aforesaid accused Ashok Singh and the period of custody, the Court directs the petitioner to be enlarged on bail in connection with S.Tr. no. 285 of 2018 (arising out of Matihani P.S. Case no. 195 of 2017) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Fast Track Court - I, Begusarai.

In view of the trial having proceeded, it is directed that the petitioner shall co-operate in the trial and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may proceed to cancel the bail bond of the petitioner and to take him into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

