

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24187 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- CHANPATIA District- West Champaran

PRAMOD SINGH S/O LATE RAMBRIKSH SINGH R/O VILLAGE
KUDWA MATHIA KUMARBAGH, P.S-CHANPATIA (KUMARBAGH
O.P.), DISTRICT-WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Lal Babu Singh
For the Informant	:	Mr.Bimlesh Kumar Pandey.
For the State	:	Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner, informant and
the State.

The petitioner prays for grant of bail in a case
registered for the offence punishable under section 302/34 of the
Indian Penal Code and 27 of the Arms Act.

As per prosecution case, on 22.07.2020 at about 1.30
P.M., while cousin brother of the informant had gone to floor
mill, Kumarbagh, 4/5 unknown accused persons shot him dead
by opening firearm.

Petitioner is not named in the FIR. His name was
disclosed by co-accused during his confession.



It is submitted that even as per confessional statement of co-accused, petitioner had not fired on the deceased rather inadvertent firing hit the deceased as a result of which he died on the spot. Petitioner is accused in eight cases but he is on bail in all cases except last one. It is further submitted that police after investigation submitted charge sheet under section 304 IPC against the petitioner. Petitioner is in custody since 09.01.2021.

Learned counsel for the informant vehemently opposed the prayer for bail and submitted that petitioner is accused in as many as 13 cases and name of the petitioner transpires during investigation on the basis of confessional statement of co-accused and he has also played active role in the present crime.

Considering the rival submissions of the parties and the fact that police after investigation submitted charge sheet under section 304 IPC, bail of the petitioner can not be refused on the ground that he has no clean antecedent.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in Chanpatia (Kumarbagh O.P) P.S. Case no. 361/2020 on the following



conditions.

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

(Prabhat Kumar Singh, J)

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