

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26300 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- DARIYAPUR District- Saran

CHANDAN SINGH Son of Krishna Singh Resident of Village- Samaspura,
P.S.- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and the
State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 147, 148, 149, 341, 323,
324, 307, 302, 504, 506 of the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of the occurrence, while the informant along with his
father's friends Sudarshan Singh and Ram Jivan Singh were
sitting at his house, in the meanwhile, 32 FIR named and 10-15
unknown persons, including the petitioner, armed with weapons,
surrounded the house of informant. It is further alleged that the
accused persons caught hold of Sudarshan Singh and tied him around
an electric pole and assaulted him with Lathi and Danda, as a result
of which he became unconscious. It is further alleged that when son of



Sudarshan Singh namely Ram Jivan Singh came to save his father, he was assaulted by accused persons. It is further alleged that when the incident was reported to the police, the police came and took the injured persons to the hospital, where Sudarshan Singh was declared dead.

Learned counsel appearing for the petitioner submits that there is general and omnibus allegation of assault against the petitioner and no specific allegation has been attributed to this petitioner. There is case and counter case. The doctor did not find any corresponding injury as alleged in the FIR. Similarly situated accused, Jai Prakash Singh and Shiv Nath Singh have already been granted bail by this court vide order dated 13.04.2021 passed in Cr. Misc. No. 6402 of 2021. Petitioner is in custody since 19.01.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate-XIII, Saran, Chapra in connection with Dariyapur PS case No. 265/2020 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 cancelled 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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