

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27015 of 2021**

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

Sanjeev Kumar Singh @ Toofan Singh Son of Kedar Singh Resident of
Village - Bariyadih, P.S.- Harsidhi, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr. Shantanu Kumar A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Harsidhi P.S. Case No. 8 of 2020, registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, on 03.01.2020 at 7:00 PM, the petitioner alongwith other FIR named accused persons, armed with lathi, rod and farsa, came to the house of the informant and started abusing and assaulting him and his family members and when grandfather of informant tried to save, he was brutally assaulted by the accused persons, who died during course of treatment.

It is submitted on behalf of petitioner that allegations are general and omnibus in nature and no specific overt act has



been alleged against this petitioner and all the family members have been roped in this case due to previous enmity. It is further submitted that the FIR has been lodged after delay of two days and there is no explanation for the same. Two similarly situated co-accused namely Bijali Singh and Arjun Singh have already been granted bail by a coordinate Bench of this Court, vide order dated 19.02.2021 passed in Cr.Misc. No. 29730 of 2020 (Annexure – 2). Petitioner claims clean antecedent and he is in custody since 07.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., East Champaran, Motihari in connection with Harsidhi P.S. Case No. 8 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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