

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28985 of 2021

Arising Out of PS. Case No.-1143 Year-2018 Thana- KANKARBAG District- Patna

UJJAWAL SINGH @ AVNISH S/O MADAN MOHAN SINGH R/O
BHELURA RAMPUR, PS JANIPUR, DISTRICT-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 10-12-2021 Heard learned counsel for the parties through video
conferencing..

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the police proceeded to arrest the petitioner and one another accused, it is stated that the other accused persons entered into confrontation with the police personnel. The accused persons started indiscriminate firing and got the petitioner released from police custody.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself, it would transpire that the allegation of overt act is not against this petitioner. He has been



falsely implicated in the case. No such occurrence took place. He is in custody since 30.4.2019. It is further submitted that charge has still not been framed in the learned court below and he undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 2 years 7 months, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.1020 of 2019 (arising out of Kankarbagh P.S. Case no.1143 of 2018)) 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 Additional Sessions Judge XXII, Patna.

It is further directed that the petitioner shall cooperate in the trial in the learned trial court. 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, it may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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