

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31773 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- KHUSRUPUR District- Patna

Chulbul Singh @ Alesh Kumar @ Alesh Singh Son of Suresh Singh Resident
of Village - Nuruddinpur, P.S.- Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhirendra Kumar
For the Opposite Party/s :	Mr.Kumar Veerendra Narayan,APP
	Mr.Abhay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Khusrupur P.S. Case No. 165 of 2020, registered for the offence under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, this petitioner is alleged to be order-giver, whereas some other accused caused fire-arm injury and death to the father of the informant.

It is submitted on behalf of petitioner that similarly situated co-accused namely Rajesh Kumar Singh @ Rajesh Kumar @ Baudhu Singh has already been granted bail by a coordinate Bench of this Court, vide order dated 27.08.2021 passed in Cr.Misc. No. 12689 of 2021. Petitioner is in custody since 23.01.2021. Investigation is complete.



However, counsel for the informant has vehemently opposed the bail petition and submitted that this petitioner has also played an active part in the entire occurrence.

Considering the fact that petitioner is alleged to be order-giver and similarly situated co-accused has already been granted bail, 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 Judicial Magistrate 1st Class, Patna City, District - Patna in connection with Khusrupur P.S. Case No. 165 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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