

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2510 of 2021

In
CRIMINAL MISCELLANEOUS No.14968 of 2021

Arising Out of PS. Case No.-254 Year-2020 Thana- UJIYARPUR District- Samastipur

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ANISH SINGH @ ANESH @ ANESH KUMAR Son of Brahmdeo Singh
Resident of Village - Mahisari, P.S. - Ujjiyarpur, District - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar, APP

For the Respondent/s : Mr. Binay Krishna, Spl.PP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-08-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order rejecting the prayer for bail of the appellant in a case registered under section 302 and other sections of the Indian Penal Code.

As per allegations in the F.I.R., the five named accused persons including the appellant herein came variously armed. It is stated that accused Chhotu Rai shot the father-in-law of the informant while accused Sonu Rai shot the brother-in-law of the informant. On others coming to their rescue, the accused persons escaped.

It is submitted by learned counsel for the appellant



that the allegations as levelled in the F.I.R. are false and concocted. He has been falsely implicated in the case. The specific allegation of firing is on Chhotu Rai and Sonu Rai and not the appellant herein. From the contents of the post-mortem report and the injury report, it would transpire that the allegations are directly attributable to the said two co-accused only. The appellant is in custody since 29.8.2020 and has no criminal antecedent.

Heard learned Special P.P. appearing for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the order dated 10.11.2020 passed by the learned Special Judge, S.C. and S.T. Act, Samastipur is set aside and the appellant is directed to be enlarged on bail in connection with Ujiarpur P.S. Case no.254 of 2020 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 Special Judge, S.C. and S.T. Act, Samastipur.

(Partha Sarthy, J)

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