

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38488 of 2021

Arising Out of PS. Case No.-446 Year-2020 Thana- DUMRAO District- Buxar

Abhishek Kumar Singh @ Chhotu Singh S/O Manoj Kumar Singh @ Manoj
Rai R/O Village- Chilahari, P.S.- Dumraon (Naya Bhojpur), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh
For the O.Ps.	:	Mr. Raghwendra Pratap Singh
		Mr. Arvind Kumar Pandey
		Mr. Nachiketa Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Dumraon
(Naya Bhojpur O.P.) P. S. Case No.446 of 2020, instituted for
the offences under Sections 147, 148, 149, 341, 323, 302, 506 of
the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 26.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that from perusal of the allegation as alleged in the F.I.R., it
would manifest that the informant specifically named the



accused persons in the F.I.R. and alleges that it was Birbal Yadav, who shot at the father of the informant below the left ear and later Amit Yadav and Manish Yadav also fired on various parts of the body of the father of the informant and Suraj also fired 2-3 rounds towards the house of the informant and accused were accompanied by 2-3 unknown persons.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. As far as allegation of firing is concerned, informant has specifically named the accused persons in the F.I.R., who had fired at his father. The learned counsel further submits that the name of this petitioner transpired during the course of investigation as a liner.

The learned counsel for the petitioner further submits that similarly situated co-accused Raja Kumar Singh @ Golu Singh has been granted bail by order dated 07.12.2021 in Cr. Misc. No.37111 of 2021.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application and submits that the role of the petitioner was as a liner and conspirator in crime as a result of which, occurrence had taken place.

Considering the fact that the petitioner is in custody since 26.02.2021, he is a person with clean antecedent, charge-



sheet has been submitted in this case and petitioner is not named in the F.I.R., the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon (Naya Bhojpur) P. S. Case No.446 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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