

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42011 of 2021**

Arising Out of PS. Case No.-126 Year-2019 Thana- AWTARNAGAR District- Saran

RISHI SINGH Son of Jai Shankar Singh Resident of Village- Madanpur, P.S.-
Awatar Nagar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 01-09-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Awatar Nagar P.S. Case No. 126 of 2019 registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 379,
324, 307, 504 and 506 of the Indian Penal Code and 27 of Arms
Act.

The petitioner had earlier approached this Court for
grant of regular bail which was rejected by an order dated
23.09.2020 passed in Cr. Misc. No. 21307 of 2020. He has
renewed his prayer for grant of regular bail by filing present
application.

The prosecution's case, as noted in the order dated
23.09.2020, is that when the informant and his brother, Mukesh
Kumar Singh, were going towards a local market, accused



persons, armed with pistols, lathi etc., attacked both of them using fire arms. Allegedly, the petitioner was carrying a pistol and he also opened fire. The informant's brother, Mukesh Kumar Singh, sustained fire arm injuries, one in his abdominal area and the other in the right thigh.

Learned counsel for the petitioner has drawn my attention to an order passed by the learned Sessions Judge, Saran (Chapra) dated 23.12.2019 passed in B.P. No. 1846 of 2019 whereby, he has allowed regular bail to other co-accused persons. From the said order dated 23.12.2019, it is evident that the Court below noticed active participation of the co-accused persons in commission of the offence and granted them regular bail on the ground that the fire arm injury was attributable to the petitioner.

Considering the fact that the co-accused persons were in custody for about two weeks, learned Sessions Judge, Saran (Chapra) considered it apt to grant regular bail.

Let the said order dated 23.12.2019 passed by learned Sessions Judge, Saran (Chapra) in B.P. No. 1846 of 2019 be placed before the Standing Committee of this Court.

So far as, the present case is concerned, since the petitioner is in custody since 26.11.2019 and the other accused



persons have been allowed bail, this application is allowed.

Let the petitioner, above named, be released on bail 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 10th Additional Sessions Judge, Saran at Chapra in Awatar Nagar P.S. Case No. 126 of 2019.

(Chakradhari Sharan Singh, J)

Ankit/-

U		T	
---	--	---	--

