

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41256 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

Arvind Singh S/O Shiv Narayan Singh R/O Village- Dubahal, P.S.- Magadh
Medical, District- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vipin Kumar Singh, Advocate
For the Opposite Party : Mr.Upendra Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, on 24.1.2021 at about 6 pm father of the informant went to the home of one Akhilesh Yadav and same day at about 8.15 PM one Shashi Ranjan Singh @ Bittu Singh came there and told the informant that five persons were assaulting his father at Naili Dubhal Road. Thereafter, informant and his family members went to the aforesaid place but they did not find anything. Next day at 10.30 am dead body of informant's father was found on the east of Naili Dubhal road.



Learned counsel for the petitioner submits that the FIR is against unknown and petitioner's name has figured during course of investigation in confessional statement of co-accused Shashi Ranjan Singh @ Bittu Singh to the effect that the petitioner assaulted the deceased by iron rod in league with other accused persons. While, controverting the confessional statement of this co-accused, learned counsel for the petitioner submits that Bittu Singh did not disclose the name the petitioner to the informant on 24.1.2021 as one of the assailants of the deceased. Save and except confessional statement of co-accused Bittu Singh, no incriminating material has been collected against the petitioner during course of the investigation. Petitioner has claimed clean antecedent and he is in custody since 29.1.2021. Charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the materials available on the record, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Court in seisin of Magadh



Medical Police Station Case No. 40 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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)

Shashi

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