

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35378 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- HARNAUT District- Nalanda

PAPPU SINGH Son of Lal Jawahar Singh Resident of Village-Basti, P.S-
Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Awadhesh Kumar Mishra
For the State	:	Mr. Nawal KishorePrasad
For the informant	:	Mr. Jai Prakash Singh
		Mr. Sanjeev Kumar
		Mr. Ranjit Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-02-2021 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner seeks regular bail in connection with
Harnaut Police Station Case No. 10 of 2020, registered for the
offence punishable under Sections 302/120-B/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that the son of the informant was killed by two motorcycle
borne criminals while he was sitting near his house.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of



confessional statement of co-accused Dhiraj Lal @ Lala and he is not named in the First Information report, though certain other persons have specifically been named in the First Information Report. He next submits that co-accused persons, namely, Kunal Kumar Singh @ Guddu and Abhishek Kumar Singh @ Chunnu (by order, dated 09.11.2020, in Criminal Misc. No. 29445 of 2020) and Dharvendra Kumar Singh @ Dharmendra (by order, dated 08.02.2021, in Criminal Misc. No. 38265 of 2020), against whom there is allegation of conspiracy, like the present petitioner, have been granted bail by this Court. He next submits that the petitioner is in custody since 06.05.2020.

On the other hand, learned Additional Public Prosecutor and learned Counsel for the informant vehemently oppose the prayer for bail and submit that the petitioner was one of the conspirators inasmuch as the SIM card was purchased by the contract killers in the name of the petitioner and the location of the mobile/Sim was also found near the place of occurrence by the police.

Learned Counsel for the informant submits that the petitioner has got criminal antecedent inasmuch as altogether three cases are pending against him, but in the supplementary



affidavit, only two cases have been disclosed by the petitioner, which amounts to concealment of fact and the petitioner does not deserve privilege of regular bail.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court and the petitioner is in custody since 06.05.2020, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, in connection with Harnaut Police Station Case No. 10 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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