

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38046 of 2020

Arising Out of PS. Case No.-77 Year-2020 Thana- BARAUNI District- Begusarai

DIBANI SINGH@KUNAL SINGH@KUNAL KUMAR Son of Sita Ram
Singh Resident of Village-Pakauli, P.S.-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dinesh Maharaj
For the Opposite Party/s :	Mrs.Sanjana Set Prateek
	Mr.Humayun Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2021 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Sessions Case No.223/2020 arising out of Barauni P.S. Case No.77 of 2020 registered for the offence punishable under Sections 341, 307, 379, 34 of the IPC and 27 of the Arms Act.

As per the prosecution case, the petitioner called the informant to take his money back which was given as a loan. Thereafter when the informant reached at the said place, petitioner and one Md. Arbaz and other unknown persons caught hold of him, took out katta and fired at his head due to which the informant sustained injuries.

It is submitted by learned counsel for the petitioner that



the petitioner is innocent and has not committed any offence as alleged in the FIR and has been falsely implicated in this case. The injury report was prepared after five days of the occurrence. The police did not obtain the injury report till 23.02.2020 even though the fardbeyan was recorded on 23.02.2020 and the occurrence took place on 22.02.2020. Informant was discharged on 02.03.2020. The petitioner has been named in one case after filing of the present case as per para-3 of the bail application and has been languishing in custody since 09.07.2020.

Learned counsel for the State and informant opposed the prayer for bail and submitted that petitioner is named in the F.I.R. It is submitted that witness Nawal Kishore Singh was returning from local market after purchasing vegetables when he was threatened by Md.Arwarz and two other unknown persons on the point of pistol to compromise the case or else his son would be killed because Dibani Singh @Kunal Singh @Kunal Kumar is also about to come from jail.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in connection



with Sessions Case No.223/2020 arising out of Barauni P.S.
Case No.77 of 2020.

(Anjani Kumar Sharan, J)

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