

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4335 of 2021

Arising Out of PS. Case No.-344 Year-2020 Thana- SONEPUR District- Saran

1. Munna Singh aged about 40 years son of Shri Brijnandan Singh R/O Village- Baijalpur Jamuni, P.S.- Sonepur, District- Saran, Chapra
2. Chhotu Singh @ Niraj Singh aged about 26 years S/O Shri Jaleshwar Singh R/O Village- Baijalpur Jamuni, P.S.- Sonepur, District- Saran, Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Udbhav, Advocate
For the Opposite Party : Mr. SK Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the
State.

Petitioners seek bail in a case registered for the offence
punishable under section 307/302 and other ancillary sections of
the Indian Penal Code.

As per the prosecution case, petitioners and other
accused persons, all named in the FIR, abused and assaulted
informant's uncle. Meanwhile, petitioner no.2 and other
accused persons assaulted him with sword and dab. Accused
Papu Singh is alleged to have cut the neck of the victim with



garasi.

Learned counsel for the petitioners submits that there is general and omnibus allegation of assault against the petitioners. Co-accused Papu Singh is alleged to have cut the neck of the informant's uncle causing his instant death and the doctor has also found single injury on the neck of the deceased. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 16.6.2020 and 29.6.2020 respectively. Investigation is complete. Similarly situated co-accused Hare Ram Singh has already been allowed bail by a co-ordinate bench of this Court vide order dated 26.4.2021, passed in Cr.Misc.No. 38451/2020.

Learned counsel for the State and the informant oppose the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that there is general and omnibus allegation against the petitioners and similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate,



Saran at Chapra in Sonepur Police Station Case No. 344 of 2020
on the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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)

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