

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.409 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- NAVINAGAR District- Aurangabad

Avinash Kumar, Son of Ravindra Singh @ Ravi Singh, Resident of Village-
Simri (Jaitiya Simri), P.S.- Navinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Pramendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Navinagar P.S. Case No.83 of 2020 for the offence punishable
under Section 302/120B/34 the Indian Penal Code and Section
27 of the Arms Act.

In the FIR, there is an allegation of killing of the
informant's brother by 8 named and 5-6 unknown persons.

It is submitted by the learned counsel for the
petitioner that the specific allegation of firing was attributed
against co-accused Niraj Kumar Singh upon order of co-accused
Anil Kumar Singh. Against the petitioner and other persons,
there is an allegation of catching hold of the victim. The



petitioner has a clean past and in the investigation, it has emerged that there is long subsisting rivalry between the two villages to which the petitioner and the victim belong. The petitioner is in custody since 15.06.2020. Other co-accused similarly situated, namely, Manjay Kumar and Anil Kumar Singh, as the petitioner have been allowed bail in Cr.Misc. No.37864 of 2020, vide order dated 05.02.2021 and Cr.Misc. No.29409 of 2020, vide order dated 09.11.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 learned Chief Judicial Magistrate, Aurangabad, in connection with Navinagar P.S. Case No.83 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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