

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5892 of 2021

Arising Out of PS. Case No.-149 Year-2019 Thana- JAMUI District- Jamui

Kamlesh Kumar Singh aged about 30 years male Son of Ramanand Singh
Resident of Village - Kakan, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 30-06-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Jamui PS Case No. 149 of 2019 instituted for the offence under Sections 147,148,149,302,120B and 216 of the Indian Penal Code and Section 27 of the Arms Act.

4. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

5. As per allegation in the FIR, it is stated that the named accused persons including the petitioner and one Pankaj Singh came variously armed and on the orders of the co-accused Ganga Singh, they took away the husband of the informant and



thereafter killed him by firing indiscriminately. It is stated that the informant along with her elder brother-in-law ran towards village to save their lives.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. He has been falsely implicated in the case due to caste rivalry. The allegations are general and omnibus in nature and admittedly the informant is not an eye witness to the occurrence. No specific overt act has been alleged against the petitioner and he is in custody since 21.12.2019. Other similarly situated co-accused persons, namely Ganga Singh @ Manish Singh and Bambam Singh @ Baikunth Singh have been granted bail vide orders passed in Cr. Misc. Nos. 3232 of 2020 and 8525 of 2020 respectively

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the facts and circumstances including the petitioner being in custody since 21.12.2019, the investigation having concluded and grant of bail to other co-accused persons, the Court is inclined to enlarge the petitioner on bail. 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 CJM Jamui, Dist. Jamui, in connection Jamui PS Case No. 149 of 2019, 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.

(Madhuresh Prasad, J)

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