

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11144 of 2021**

Arising Out of PS. Case No.-213 Year-2020 Thana- SIKANDRA District- Jamui

SANJAY SINGH Son of Late Rajendra Prasad Singh Resident of Village -
Akauni, P.S.- Sikandra and Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr. Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

5 09-08-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the

learned APP for the State who has assisted the Court with

reference to the case diary.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Sikandra PS Case No. 213 of

2020, registered under Sections 302, 34 and 120(B) of the

Indian Penal Code and Sections 25(1-b)a and 27 of Arms Act.

It is alleged that informant's brother has been killed



due to firearm injury on his chest. The petitioner has been implicated on the basis of recovery of a letter from victim's pocket in which it is stated that petitioner had taken money from him and when the deceased was requesting to return of the same, he had threatened him of dire consequences.

Learned senior counsel for the petitioner submits that petitioner has been implicated in this case by the brother of the deceased who somehow wants to overcome the loan taken by the deceased. It is a surprising chance that the weapon used in the occurrence and letter, both have been found at the place of occurrence itself. This shows that the same has been planted there on some ulterior motive. Petitioner has no criminal antecedent. He is in custody since 04.10.2020.

Learned APP has opposed the prayer for bail. He has submitted that informant's brother has relied upon the letter recovered from the pocket of the victim wherein he has clearly stated that the petitioner has been intimidating him to return the money.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.



Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jamui, in Sikandra PS Case No. 213 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.

(Madhuresh Prasad, J)

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