

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5505 of 2022

Arising Out of PS. Case No.-269 Year-2021 Thana- DAGARUA District- Purnia

SAURAV KUMAR @ SAURAV KUMAR SINGH S/O LATE MITHILESH
PRASAD SINGH RESIDENT OF VILLAGE- GANGAILI BANMANKHI,
P.S.- BANMANKHI, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dagarua
P.S. Case No. 269 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 307, 302, 504, 506 and
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.10.2021.

The allegation against the petitioner is to commit
murder of son of the informant in a pre-planned manner along



with other co-accused person.

Learned counsel appearing on behalf of the petitioner submitted that specific allegation of firing is against co-accused, namely, Abhay Kumar @ Shashi. It has further been submitted that the petitioner was not even the order giver in the present occurrence. It has further been submitted that from bare perusal of the FIR, the allegation as alleged against the petitioner is very much general and omnibus in nature and similarly situated co-accused persons have already been granted bail by a learned co-ordinate Bench of this Court vide order dated 28.04.2022 in Cr. Misc. No. 70214 of 2021. While concluding the argument, it has been submitted that the petitioner is a man of clean antecedent and investigation of this case has been completed for which charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that specific allegation as regard to the assault of firing is not against the petitioner.

Considering the facts and circumstances as mentioned above, as specific allegation of firing is not against the petitioner, who is man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the



petitioner, above named, is directed to be released on bail in connection with Dagarua P.S. Case No. 269 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, Purnea, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) If the petitioner tampers with the evidence or the witnesses, in that event, the prosecution will be at liberty to move for cancellation of bail.

(iii) That one of the bailors shall be Santosh Singh, who is the uncle of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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