

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5677 of 2022

Arising Out of PS. Case No.-36 Year-2015 Thana- DINARA District- Rohtas

1. RAJESH KUMAR @ RAJESH SINGH SON OF RAJA RAM SINGH R/O VILLAGE- BHAGIRATHA TOLA, P.S.- DINARA, DIST.- ROHTAS
2. RAMAWADHESH SINGH SON OF BANSHIDHAR SINGH R/O VILLAGE- BHAGIRATHA TOLA, P.S.- DINARA, DIST.- ROHTAS
3. JAG NARAYAN SINGH SON OF BANSHIDHAR SINGH R/O VILLAGE- BHAGIRATHA TOLA, P.S.- DINARA, DIST.- ROHTAS
4. NITISH KUMAR @ NITISH SINGH SON OF JAG NARAYAN SINGH R/O VILLAGE- BHAGIRATHA TOLA, P.S.- DINARA, DIST.- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Dinara P.S. Case No. 36 of 2015 registered for the alleged offences under Section 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on account of altercation, the petitioners along with other co-accused persons abused and



tried to assault the informant and his family members. During scuffle co-accused Ram Prakash Singh shot dead father of the informant.

Learned counsel for the petitioners has submitted that there is no specific allegation of firing upon the petitioners and shot that killed father of the informant was fired by co-accused Ram Prakash Singh which has been specifically mentioned in the FIR. The allegations against the petitioners are quite general and they are in custody since 03.08.2021.

Learned APP has very fairly conceded the allegations against the petitioners are general and specific allegation of firing is against co-accused Ram Prakash Singh. Moreover, co-accused Raja Ram Singh had been granted bail by a coordinate bench of this court vide order dated 01.02.2016 passed in Cr. Misc. no. 52862 of 2015.

Having regard to the submission made hereinabove and the specific allegation that it was co-accused Ram Prakash Singh who fired fatal shot and the petitioners are out of nine accused persons one of whom had already been granted bail by the Coordinate Bench, they are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sub



divisional Judicial Magistrate, Bikramganj District Rohtas/court
concerned in connection with Dinara P.S. Case No. 36 of 2015,
subject to the following conditions:

(i) One of the bailors will be a close relative of the
petitioners, preferably one of the parents.

(ii) The petitioners will remain present on each and
every date fixed by the court below.

(iii) In case of absence for three consecutive dates or
in violation of the terms of the bail, the bail bond of the
petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

s.hassan/-

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