

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5909 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- NTPC KHAIRA District- Aurangabad

SAROJ SINGH Son of Late Kamta Singh, Resident of Village- Kadhori, P.S.-
N.T.P.C. Khaira, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with N.T.P.C. Khaira P.S. Case No. 66 of 2021 registered for
offence punishable under sections 147, 148, 149, 341, 323, 325,
504 and 307 of the Indian Penal Code.

As per allegation, when the informant was returning
from the boring to his house along with his brother Ashok Singh
and reached near the house of Parsuram Singh, twenty six
named accused persons, including the petitioner armed with



pistol, rifle, lathi, etc. surrounded them. Co-accused Manoj fired shot on the informant, but it hit his brother Ashok Singh. The specific allegation against the present petitioner is that he assaulted the informant with Khanti on his head.

The learned counsel for the petitioner has submitted that all the injuries are simple type except 3, 4 and 5 and the opinion of the doctor was reserved in respect of these injuries. He has submitted further that the petitioner is under custody since 24.11.2021. He has also submitted that apart from this case, two more cases are pending against the petitioner, but inadvertently in paragraph no. 3 of the bail petition, description of one case was given, but by filing supplementary affidavit, these two cases, i.e. N.T.P.C. Khaira P.S. Case No. 63 of 2017 and N.T.P.C. Khaira P.S. Case No. 63 of 2017, have been mentioned. He has submitted that both the cases are of trivial nature. N.T.P.C. Khaira P.S. Case No. 63 of 2017 has been registered under sections 341, 323 and 504 of the Indian Penal Code and N.T.P.C. Khaira P.S. Case No. 64 of 2020 has been registered under sections 147, 149 and 323 of the Indian Penal Code.

Considering the above-mentioned facts and circumstances, specially the period of incarceration, the



petitioner above-named is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with N.T.P.C. Khaira P.S. Case No. 66 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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