

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7893 of 2022**

Arising Out of PS. Case No.-80 Year-2020 Thana- UPHARA District- Aurangabad

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Jaiprakash Singh Son of Ram Prayag Singh Resident of Village- Shankardih,
P.S.- Upahara, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari 1

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 06-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with B.P. No.
1035 of 2021 arising out of Uphara P.S. Case No. 80 of 2020
registered for the offence under Sections 147, 148, 149 and 302
of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 22.09.2021.

As per allegation, the accused persons including the
petitioner killed the father of the informant.

Learned counsel appearing on behalf of the accused



petitioner submitted that the petitioner has been falsely implicated in this case in the back-drop of land dispute between the parties. Similarly situated co-accused, namely, Ranjeet Kumar and Aabu @ Shatish Kumar have been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 08.12.2021 and 16.12.2021 passed in Cr. Misc. No. 35310 of 2021 and Cr. Misc. No. 41213 of 2021 respectively. It is further submitted that allegation, regard to assault, is omnibus against the petitioner. It is further submitted that accused/petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that allegation is not specific.

Considering the facts and submissions as similarly situated co-accused persons have already been granted bail, coupled with the fact that allegation of assault is omnibus, let the petitioner, above named, is directed to be released on bail in connection with B.P. No. 1035 of 2021 arising out of Uphara P.S. Case No. 80 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the following condition:



“That one of the bailors shall be
the close relative of the accused/petitioner
like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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