

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10747 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

1. ISHWAR SINGH @ CHHOTU SINGH, S/o Late Kaleshwar Singh R/o Vill- Jaitpur, P.S.- Udwanatnagar, Distt- Bhojpur.
2. Vijay Kumar Singh, S/o Ramdev Singh R/o Vill- Jaitpur, P.S.- Udwanatnagar, Distt- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Ranjay Kumar Singh, Advocate Mr. Prince Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-03-2022 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with Udwanatnagar P.S. Case No. 75 of 2021, for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 354, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 10.02.2021, the informant namely Amrita Devi went to the clinic of Dr. Ajay Kumar Pandey for treatment and after treatment, she was



returning with her husband Umesh Singh, her grandson Rohit Kumar, nephew Siyaram Singh and her daughter Radhika Kumar as she reached near the door of Anirudh Singh and while proceeding towards her house, all the accused persons named in the F.I.R., including the petitioner, started abusing the informant and her relative. It has further been alleged that accused Ramdev Singh open fire with his licensee gun, which hits Umesh Singh at his left chest, co-accused Bipin Bihari Singh also opened fire, which hits Rohit Kumar. The accused persons also assaulted by throwing bricks, stone, Lathi danda in which Siyaram Singh, nephew of informant, sustained injury on his left hand. Chandeshwar Singh, brother-in-law of informant was also assaulted by the accused persons.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. The allegation of firing is against Ramdev Singh and Bipin Bihari Singh. The nature of injury is not supported by the opinion of the Doctor. The injuries sustained is simple in nature. The petitioners are in custody since 11.02.2021 are fit to be released on bail.

Learned A.P.P. for the State has opposed the prayer for



grant of bail to the petitioners.

Considering the aforementioned facts and circumstances of the case, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara in connection with Udwanthnagar P.S. Case No. 75 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioners were found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bonds.

(Purnendu Singh, J)

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