

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12113 of 2022**

Arising Out of PS. Case No.-526 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Amresh Kumar Singh S/o Tribhuwan Singh R/o village- Nayagaon East, P.S.-  
Desri, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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

3      25-07-2022                      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 Hajipur  
Sadar P.S. Case No. 526 of 2021 registered for the offence under  
Sections 302 and 394 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 08.01.2022.

The allegation against the petitioner is to commit  
murder of the son of the informant while committing robbery.

Learned counsel appearing on behalf of the petitioner  
submitted that the name of the petitioner surfaced in present



case on the basis of confessional statement of co-accused, namely, Suraj Paswan, and Sanjay Kumar Paswan. It has further been submitted that nothing incriminating surfaced during course of investigation which may suggest the petitioner to be involved, prima facie, in the present case. It has been submitted that it appears that from the written complaint that deceased was accompanied with one of Anil Paswan, independent witness for Test Identification Parade (TIP) but he refused to join TIP. It is also submitted that petitioner involved in two(2) criminal cases, in which he is on bail, moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as petitioner was not put on TIP, despite of available eye-witness of the occurrence as per FIR 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 Hajipur Sadar P.S. Case No. 526 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 C.J.M, Vaishali at Hajipur/concerned court, subject to the following conditions:

*“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.*

*(ii) 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.*

*(iii) That one of the bailors shall be Bipin Kumar Singh @ Vipin Kumar Singh, who is the nephew of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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