

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13048 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- ATRI District- Gaya

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PARSURAM SINGH SON OF LATE SIDHO SINGH R/O VILLAGE-
MALTI, P.S.- ATRI, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Atri P.S. Case No. 335 of 2021 for the offence punishable under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution story, in brief, is that on the order of
the co-accused Bhola Singh, Bablu Singh fired upon the son of
the informant, as a result of which, he died on the spot.

Learned counsel appearing on behalf of the petitioner
submits that from perusal of the F.I.R. itself, it would appear



that the petitioner is neither the order giver nor he has assaulted the deceased. The petitioner being the father of the main accused Bablu Singh who had assaulted the deceased has been roped in the present case along with other family members. There is specific allegation against Bablu Singh who is the son of the petitioner. The alleged incidence took place due to rivalry between two groups in the Panchayat Election. The petitioner is in custody since 20.11.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that from the allegation made in the F.I.R., it would appear that all the accused persons including the main accused Bablu Singh has assaulted the son of the informant. The informant is the father of the deceased. Petitioner does not deserve to be released on bail.

Having heard the rival submission of the parties as well as allegation made in the F.I.R., it appears that there is general and omnibus allegation against the petitioner who is the father of the main accused Bablu Singh, it is specifically alleged in the F.I.R. that uncle of the main accused Bablu Singh namely Bhola Singh is the order giver and Bablu Singh has fired upon the son of the informant due to which the son of the informant



died on the spot, from the impugned order it appears that death has been caused by fire arm injury. Prima facie, the petitioner has made out a case to be released on bail.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Gaya in connection with Atri P.S. Case No. 335 of 2021, subject to the following conditions:-

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

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

(3) If the petitioner tampers 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 petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that



**the petitioner is involved in some other cases as what has
been stated in Para-3 of the bail petition, this order will
automatically loose its force.**

(Purnendu Singh, J)

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