

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18391 of 2022**

Arising Out of PS. Case No.-199 Year-2019 Thana- SISWAN District- Siwan

Vickey Kumar Singh Son of - Ashok Singh @ Ashok Kumar Singh Resident  
of Village - Saipur, P.S. - Siswan, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      22-08-2022                      Heard learned counsel for the petitioner and learned  
counsel for the Informant as well as learned Additional Public  
Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 341, 323, 307 of the Indian  
Penal Code and Section 27 of the Arms Act.

According to prosecution case, one Surendra Singh  
lodged a fardbeyan before A.S.I. Ekma on 14.10.2019 alleging  
therein that on 13.10.2019 at night one Dogala programme was  
going on at the house of one Tarkeshwar Singh and on that  
program he was invited and on conspiracy, F.I.R. named  
accused persons including the petitioner lased with deadly



weapons assembled and ordered to kill him. On that order, Vicky Kumar Singh (petitioner) fired on the informant thereafter his feet became injured and he fell down on the earth thereafter all three accused persons fired and assaulted him. He became senseless thereafter his family member taken him at Patna Nursing Home for treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the allegation of firing against the petitioner. He further submits that in fact the petitioner was not present at the spot and the name of the petitioner has falsely been implicated in the present case. He further submits that it appears from the F.I.R. itself except the section 307 of the I.P.C. all the sections is bailable in nature and there is no intention to assault/kill the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Pankaj Kumar Singh and Ashok Kumar Singh have been granted bail by a co-ordinate Bench of this Court vide order dated 09.06.2020 and order dated 27.07.2021 passed in Cr. Misc. No. 18953 of 2020 and Cr. Misc. No. 11958 of 2021



respectively. The petitioner is in custody since 20.12.2021.

The learned counsel for the Informant as well as learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of firing against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Siswan P.S. Case No. 199 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court



below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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