

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20694 of 2022

Arising Out of PS. Case No.-119 Year-2020 Thana- GORIAKOTHI District- Siwan

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Simant Kumar Singh @ Chhotu Singh, Son Of Late Rajendra Singh Resident
Of Village- Chhitauli Kala, P.S. - Goreakothi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Goreakothi P.S. Case No. 119 of 2020, registered for the

offences punishable under Sections 341, 323, 307, 504

and 34 of the Indian Penal Code and Section 27 of the

Arms Act.

The prosecution case as emerging from the FIR



is that when the informant along with a co-villager, Ranjit Kumar was coming back after fishing, the petitioner along with his associates opened fire at him by country made pistol below his knee, causing injury to him.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not arrested on the alleged place of occurrence and even as per the allegation, petitioner fired at leg below the knee, which shows that there was no intention to kill the alleged victim. He also submits that charge sheet has already been submitted. However, charge is yet to be framed. He further submits that petitioner has been languishing in jail since 14.07.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has earlier been made accused in five more



cases, namely, Goreakothi P.S. Case No. 99 of 2020, Goreakothi P.S. Case No. 226 of 2020, Goreakothi P.S. Case No. 163 of 2020, Goreakothi P.S. Case No. 77 of 2021 and Basantpur P.S. Case No. 60 of 2021.

However, the learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. C.J.M., Siwan in connection with Goreakothi P.S. Case No. 119 of 2020, **after framing of charge**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the



police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office



within a period of one month and the Registry is directed
to issue the certified copy of this order only after removal
of office objections.

(Jitendra Kumar, J)

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