

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26014 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Ram Uday Prasad Singh @ Ram Uday Singh Son of Late Shekho Singh
Resident of Village - Pahsara, P.s.- Nawkothi, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate
For the Opposite Party : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to remove
the defect(s) as pointed out by the office within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections-323, 341, 506, 307/34 of the Indian Penal
Code and 27 of the Arms Act.

Prosecution case in short is that the informant was going
to village Chhatauna to pay some dues amount to one, Ganesh Singh
While he reached Enaiya Theka Chauk, the petitioner along with
other FIR named accused and three unknown persons came there
with pistol by Bolero and restrained him. On the order of
petitioner/accused, co-accused, Nitish Kumar and Brajesh Kumar



fired upon the informant which passed away beside the leg of the informant.

It is submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is 72 years old. There is no allegation of assault alleged against the petitioner. The petitioner is said to be an order giver. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

Learned counsel for the State submits that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajiv Ranjan, learned Judicial Magistrate-Ist Class, Begusarai in connection with Nawkothe P.S. Case No. 54 of 2021 subject to the conditions as laid down under Section-438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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