

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40215 of 2021**

Arising Out of PS. Case No.-118 Year-2019 Thana- AKHODHIGOLA District- Rohtas

ANISH SINGH @ ANISH KUMAR Son of Ramashankar Singh Resident of
Village- Shahpur, P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s	:	Mr.Manoj Kumar, APP
For the Informant	:	Mr.Bachan Jee Ojha, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 09-05-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned A.P.P. for the

State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302 and 394 of the Indian
Penal Code read with Section 27 of the Arms Act.

Learned senior counsel for the petitioner submits that
the petitioner is in custody since 24.12.2019, charge-sheet has
been submitted in the case and has antecedent of one case.

The informant alleges that he along with Amit Kumar
and his driver Santosh Kumar was collecting debt money from
shopkeepers in Akorhigola market when the accused persons
came on a motorcycle armed with country-made pistol and



snatched the bag from Amit Kumar and on protest, one of the accused fired killing Amit Kumar on the spot.

Learned senior counsel for the petitioner submits that the F.I.R. was against unknown and the name of this petitioner transpired in the confessional statement of co-accused Sanjeet Kumar. It is further submitted that though petitioner is in custody but he was never put on TIP nor any incriminating article has been recovered from his possession to even remotely connect him with the offence. It is further submitted that co-accused Chhotu Ram has been granted bail vide order dated 20.12.2021 in Cr. Misc. No. 26772 of 2021, Ajit Yadav has been granted bail vide order dated 20.12.2021 in Cr. Misc. No. 25449 of 2021 and Dilip Gupta has been granted bail vide order dated 21.10.2021 in Cr. Misc. No. 2220 of 2021.

Learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for bail of the petitioner but are not in a position to rebut the submission of the learned senior counsel for the petitioner that co-accused have been granted bail.

Considering the fact that the petitioner is in custody since 24.12.2019, charge-sheet has been submitted in the case, co-accused have been granted bail, he was not put on TIP nor



any recovery was made from his possession, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Akorhigola P.S. Case No. 118 of 2019 with a condition that one of the bailors of the petitionr shall be his father, Ramashankar Singh.

Further, if the learned court below comes to a conclusion that after release, the petitioner is trying to delay the trial in any manner, the learned court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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