

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31784 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- KORHA District- Katihar

JITU SINGH S/o- Dinesh Pd. Singh @ Dinesh Singh R/o- Basgara, P.S. -
Korha, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in a case registered for the
offences punishable under Sections 307, 324 and other allied sections
of the Indian Penal Code.

Allegedly, when informant and his compounder were
returning home, on the way, co-accused Dinesh Singh stopped them
and then petitioner shot fire upon the informant which went missed
and co-accused Dinesh Singh attempted to kill the informant by
means of sickle as a result of which informant received injury on the
stomach.

The main submissions advanced by Sri Sanjeev Kumar
Singh, the learned counsel appearing for the petitioner are that
petitioner has clean antecedent and has been languishing in jail since



20.2.2022, due to political rivalry he has been roped in this case. Allegation against the petitioner is that he fired at the informant which did not hit him and father of the petitioner carrying more serious allegation than the petitioner has been granted bail by a coordinate bench of this court.

Sri Bhanu Pratap Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. Petitioner has got no criminal antecedent and political rivalry in between both parties is stated to be genesis of the occurrence and the present petitioner opened firearm at the informant that went missed and no one sustained injury in that firing and petitioner's father who is carrying specific and serious allegation has been granted bail by a coordinate bench of this court and three persons are stated to be injured in the occurrence whose injuries are opined to be simple in nature.

In the light of these facts and mainly taking into account petitioner's case being similar to co-accused who is on bail, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner 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 Chief Judicial Magistrate, Katihar in Korha P.S Case No. 447 of 2021 on 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 below and shall remain physically present as directed by the Court below 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) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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