

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39599 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- MAJORGANJ District- Sitamarhi

UDAY KUMAR SINGH SON OF RAMASHISH SINGH R/O VILLAGE-
DUMRI KALAN, P.S.- MAJORGANJ, DISTT.- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. vMukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Majorganj P.S. Case No. 131 of 2022 under Sections 147, 341,
323, 448, 380, 270, 504 and 506/34 of the Indian Penal Code.

The prosecution case in brief is as follows :-

(i) the informant is the Manager of Late Pradum
Narayan Singh and he is in the capacity of being the care taker
used to live in house. On 23.05.2022, he woke up to the sound
and saw that his neighbour, Uday Kumar Singh along with five
unknown persons taking away wheat bag and a trunk from his
house;

(ii) however, when accused persons again entered into



the house, he raised alarm, on which, the petitioner assaulted him with a '*khanti*' which missed the target. He was caught with the help of Binod Singh and others and handed over to the police. The FIR was lodged and the petitioner was taken into custody.

Learned counsel for the petitioner submits that there is case and counter case, he is an ex- armyman, he is trying to lead a peaceful life but is being interfered by his agnates on whose behest one after another criminal cases filed against him. He lastly submits that he has already suffered a lot by being in custody since 24.05.2022 (as stated in paragraph-16 of the bail application).

Taking into account the fact that he is in custody since 24.05.2022, there is case and counter case between the parties, charge sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of ACJM-1st, Sitamarhi in connection with Majorgan P.S. Case No. 131 of 2022, subject to the following conditions:-

- (i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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