

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38302 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- ALAMNAGAR District- Madhepura

Anil Singh S/o Late Naresh Singh, Resident of village- Bargaon, P.S.-
Alamnagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-09-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Alamnagar P.S. Case No. 253 of 2021, lodged under Sections
147, 148, 149, 307 & 302 of the Indian Penal Code.

As per the prosecution case, there are in total 19
persons who were made accused in the F.I.R., against whom
allegation of making sudden firing by latest fire arm is there,
in which death of Brij Mohan Kumar and Nathuni Sharma
took place and one Chotu Kumar was injured.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that due to political rivalry and enmity between two groups, one group is lead by Birendra Singh and another group is lead by Ranvijay Singh and due to dispute between two groups, this occurrence took place. Learned counsel for the petitioner further submits that relation of petitioner with Mukhiya Birendra Singh is inimical against whom he has filed one case i.e. Alamnagar P.S. Case No. 244 of 2018. Learned counsel for the petitioner further submits that deceased Nathuni Sharma also lodged an F.I.R. when he was admitted in ICU before Saharsa SHO which is annexed as Annexure-2 and in the said F.I.R. the injured Nathuni Sharma who was later on died had disclosed the name of 12 persons only, in which the name of petitioner is not figured. Learned counsel for the petitioner further submits that petitioner is in custody since 13.12.2021, having one criminal antecedent, in which he is on bail. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. He further submits that the case in which name of petitioner is figured is the counter case of Alamnagar P.S. Case No. 244 of 2018.

Learned counsel for the State opposes the prayer for

bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Madhepura in connection with Alamnagar P.S. Case No. 253 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation

of his present bail bond.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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