

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39935 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- MADHUBAN District- East Champaran

Chandra Bhusan Singh Son of Late Ramnath Singh Resident of Village -
Mogalniya, P.S.- Madhuban, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Madhuban P.S. Case No. 29 of 2021 registered for the offence
under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506
and 120(B) of the Indian Penal Code

The accused/petitioner is named in the F.I.R. and is in
custody since 08.01.2022.

The allegation against the petitioner is to commit
murder of the brother of informant, alongwith other co-accused
persons, due to property dispute, while assaulting with iron rod,



lathi, farsa, etc.

Learned counsel appearing on behalf of the petitioner submitted that the maximum allegation, what appears against this petitioner, from the face of F.I.R., is to be a part of mob only, whereas specific allegation to give fatal assault is available against co-accused persons, namely, Tinku Kumar Singh, Vikash Kumar Singh and Shyam Kumar Singh. It is further submitted that the said co-accused, namely, Shyam Kumar Singh has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr.Misc. No. 46900 of 2021 vide order dated 18.04.2022. It is pointed out that petitioner is involved in one more criminal case, where he is on bail. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as allegation of fatal assault is not available against this petitioner, rather same is available against co-accused persons, namely, Tinku Kumar Singh, Vikash Kumar Singh and Shyam Kumar Singh coupled with the fact that chargesheet has already



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhuban P.S. Case No. 29 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Motihari, East Champaran/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-
Pooja/-

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