

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42950 of 2022**

Arising Out of PS. Case No.-64 Year-2021 Thana- SALAIYA District- Aurangabad

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Birendra Kumar Singh @ Birendra Singh Son Of Late Naurangi Singh  
Resident of Village - Salaiya, P.S.- Salaiya, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      01-12-2022                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 148, 323, 307 and other sections of Indian Penal Code and Section 27 of Arms Act.

As per FIR, co-accused Bhola Singh ordered to kill the informant and Ravindra Singh. It is alleged that Bhola Singh opened fire and thereafter this petitioner and Narendra Yadav also opened fire but no one got injured in the firing.

Learned counsel appearing for the petitioner submits that this case is counter blast of Salaiya P. S. Case No. 63 of 2021 which was lodged by co-accused Narendra Yadav against the present prosecution party in which Sachin Kumar, son of co-accused Narendra Yadav, got injured. As a matter of fact, it was the prosecution party who were the aggressor and there is no



specific overt act the petitioner. Similarly situated co-accused, Surendra Singh, has already been granted bail by this Hon'ble Court vide order dated 29.11.2022 passed in Cr. Misc. No. 41815 of 2022.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, Aurangabad in Salaiya P. S. Case No. 64 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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