

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52330 of 2021

Arising Out of PS. Case No.-54 Year-2018 Thana- ALIPUR District- Gaya

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Amit Gaurav @ Daru Son of Girjesh @ Girjesh Nandan Singh Resident of
Village - Kurtha, P.s.- Kurtha, Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-02-2022 Heard learned counsel for the petitioner and Shri

Mukeshwar Dayal, learned A.P.P. for the State through virtual

Court proceedings.

The petitioner seeks bail in connection with Alipur
P.S. Case No. 54 of 2018 instituted for the offences under
Sections 302, 120(B) and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.01.2021, charge-sheet has been
submitted in the case and has antecedent of four cases as
mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that the
informant in the F.I.R. alleges that the deceased sustained
firearm injury and disclosed the name of four accused persons to



the informant.

Learned counsel for the petitioner submits that from bare perusal of allegation as alleged in the F.I.R. it would manifest that the deceased has not even remotely whispered about the present petitioner rather he has given four specific names to the informant i.e., his father that who shot him. Learned counsel further submits that similarly situated co-accused Baliram Sharma @ Baliram Singh has been granted bail vide order dated 19.12.2018 passed in Cr. Misc. No. 66398 of 2018.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner has antecedent of four cases and as such the consideration of his bail should be different from that of Baliram Singh but is not able to meet the submission of the learned counsel for the petitioner that like Baliram Singh, the deceased has also not whispered about the petitioner to the informant.

Considering the fact that the petitioner is in custody since 18.01.2021, and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Alipur P.S. Case No. 54 of 2018 with a condition that one of the bailor shall be the father of the petitioner (Girjesh @ Girjesh Nandan Singh) with a further condition that the petitioner will keep marking his attendance in the concerned police station in between 25-30 of every month commencing from February, 2022 till the charges are framed and in the event if it is reported by the concerned police station to the learned court below that the petitioner in between the aforesaid dates in any of the month till framing of charges has not marked his attendance, the learned court below will forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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