

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49917 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- BARHARA District- Bhojpur

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Arvind Singh @ Arvind @ Openor Singh Son Of Sheo Parshan Singh R/O
Nathmalpur, P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal (Senior Advocate)

Mr. Kumar Rajdeep, Advocate

Mr. Arvind Kumar, Advocate

For the State : Mr. Kalyan Shankar, APP

For the Informant : Mr. Raj Narayan Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to
remove the defect(s) as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned senior counsel for the petitioner and
learned APP for the State as well as learned counsel for the
informant.

The petitioner who is in jail custody since 21.03.2022
seeks bail in connection with Barhara P.S. Case No. 223 of 2022



registered for the offence punishable under Sections 147, 148, 149, 307, 302, 326 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on 20.03.2022 at about 3:00 pm in the first alleged occurrence in which there were some scuffle with the son of the informant, four persons had allegedly participated. It is alleged that after the alleged occurrence all the four persons left the spot and thereafter 11 named accused persons came at about 5.00 pm and one Arvind Singh son of Jeetu Singh (accused No. 1) fired from Rifle upon the son of the informant who later on died in course of treatment. In firing Khedan been also received fire arm injury in his stomach. It is further alleged that petitioner (accused No. 11) is one among the 11 named accused persons.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner of actively participation in the alleged occurrence and no specific weapon has been attributed in his hand and the similarly situated co-accused namely Gopal Singh has been granted bail by the Coordinate Bench of this Court vide order dated 09.12.2022 in Criminal Miscellaneous No. 48127 of 2022. The chargesheet has already been submitted.



Learned APP for the State has opposed the prayer for regular bail of the petitioner. However, they have accepted that there is no specific allegation on the petitioner of actively participation in the alleged occurrence.

Considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhojpur at Ara in connection with Barhara P.S. Case No. 223 of 2022.

(Sunil Dutta Mishra, J)

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