

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49061 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- BISHUNPUR District- Darbhanga

Niranjan Singh, aged about 37 years old, Son of Raj Kishore Singh R/o
Village- Ram Pur Dih, P.S- Bishanpur, Dist- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Shankar Das, Adv.
For the Opposite Party : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Bishanpur
P.S. Case No. 31/2021 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
informant's brother Satya Prakash Singh and co-villager Jago
Singh had an altercation over purchase of *Ganja*. It is also
alleged that Jago Singh assaulted the informants' brother with a
brick. The co-accused Vinod Singh @ Batkhat has also
allegedly assaulted the informant's brother in the morning after
the occurrence. It is also alleged that informant's brother Satya



Prakash Singh left home with a view to take revenge from the perpetrators of assault and later his dead body has been recovered.

Learned counsel for the petitioner submits that allegation of assault is against co-accused Jago Singh and Vinod Singh @Batkhat. Against the petitioner, the F.I.R. only discloses a suspicion based on some conspiracy on the eve of discovery of the dead body of informant's brother. On such suspicion, the petitioner has been arrested and is in custody since 30.06.2022, having no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Darbhanga, in connection with Bishanpur P.S. Case No. 31/2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how



he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

Raj kishore/-

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