

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61927 of 2021

Arising Out of PS. Case No.-344 Year-2020 Thana- SONEPUR District- Saran

=====

Brijnandan Singh S/O- Late Tilakdhari Singh Resident of Village- Baijalpur
Jamuni, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Anant Kumar-1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 342, 324, 307 and 302 of the Indian Penal Code.

According to prosecution case, informant stating therein that on 06.05.2020 in the afternoon he alongwith his uncle Dipak Kumar Singh were at his garden. Thereafter, he saw that near the hut of Bhola Chaudhary seven named accused persons, including petitioners, being variously armed had surrounded his uncle Pintu Kumar @ Vishwaranjan Prasad



Singh and were abusing him. Thereafter, Jaleshwar Singh ordered others to kill his uncle, on which all the accused persons attacked his uncle Pintu Kumar. On seeing this he and his uncle Dipak Kumar Singh went to save him on which Chhotu Singh @ Niraj Singh, Jaleshwar Singh, Brijnandan Singh, Guddu Kumar and Hareram Singh started assaulting him and his uncle Dipak with sword and dab and injured them. Thereafter, all the accused persons caught hold of his uncle Pintu Kumar legs and hands, and one Pappu Singh assaulted on the neck using Garasi, due to which his uncle Pintu Kumar died on the spot.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and the allegation of assault is against co-accused namely Pappu Singh. He further submits that similarly situated, co-accused, namely, Hare Ram has been granted bail vide order dated 26.04.2021 passed in Cr. Misc. No. 38451 of of 2020 another co-accused namely Munna Singh and Chhotu Singh have been granted bail by a co-ordinate Bench of this Court vide order dated 22.06.2021 passed in Cr. Misc. No.



4335 of 2021. The petitioner is in custody since 01.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Sonapur P.S. Case No. 344 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the



petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

