

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61271 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- SURYAGARHA District- Lakhisarai

ASHOK SINGH Son of Late Batoran Singh Resident of Village- Nandpur,
P.S.- Suryagarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Suryagarha P.S. Case No. 171 of 2020 registered for the
offence under Sections 341, 323, 435, 307, 504, 506/34 of
the Indian Penal Code.

According to the F.I.R., the accused persons put fire
in Bathan of the informant resultantly the hut (Bathan) got
burnt out and thereafter flew away. It is further alleged that
in the next morning all the accused persons came there with
arms like country made pistol and rifle and fired with
intention to kill the informant and her son but somehow the
bullet could not hit.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, there is general and omnibus allegation against the petitioner and no specific allegation is attributed to him. He further submits that the petitioner and the informant are gotia and a land dispute between them is going on and for that reason, the petitioner has been made accused in this case. He further submits that the co-accused, namely, Amarjeet Singh, has already been granted bail by the court below itself and the police has also submitted charge sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 10.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned C.J.M., Lakhisarai in connection with Suryagarha P.S. Case No. 171 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

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