

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55063 of 2022

Arising Out of PS. Case No.-106 Year-2018 Thana- RIGA District- Sitamarhi

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Dhiraj Kumar Singh @ Dhiraj Kumar S/O Lalan Singh R/o village- Basant
Khurd, P.S.- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-12-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Birendra Kumar, learned counsel for the
petitioner and learned Additional Public Prosecutor for the State
through video conferencing.

Petitioner seeks bail in a case registered in connection
with Riga P.S Case No. 106 of 2018 for the offences punishable
under Sections 302,120(B)/34 of the Indian Penal Code and
section 27 of the Arms Act

As per the prosecution case, it is alleged that
regarding the murder of the brother of the informant on account
of him being shot by the accused persons. The deceased is
stated to be leader of the labour union of Riga Sugar Mills and
there was some dispute between the sugar Mill management and
the mill Workers Union. The owner and manager of the sugar
mill had allegedly killed the brother of the informant.



Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has surfaced in the confessional statement of Amit Kumar @ Arun Singh@ Arun Kumar Singh. Save and except the confessional statement there is no other material justifying the complicity of the petitioner in the present crime. He further submits that various co-accused persons having similar allegation, they have been allowed privilege of bail by different learned co-ordinate Benches of this Court, copies of which have been brought on record by way of Annexures 2 to 4 to this petition. He lastly submits that the petitioner is in custody since 30.08.2019.

On the other hand, learned counsel for the State vehemently opposed the bail application and submits that petitioner is found involved in eight other criminal cases.

Regard being had to the submission made on behalf of the parties and considering the fact that the other co-accused persons having similar allegation, have been allowed privilege of bail by different learned co-ordinate Benches of this Court and moreover, petitioner is in custody for more than three years, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S Case no. 106 of 2018 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

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(Harish Kumar, J)



