

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64492 of 2021**

Arising Out of PS. Case No.-111 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Rahul Singh @ Shantanu Kumar Son Of Jageshwr Singh Resident Of Village-
Mahuli, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Kumar
For the Opposite Party/s :	Ms. Rina Sinha
	Mr. Ravindra Kumar
	Mr. Rajesh Roy

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 01-04-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302/ 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 12.08.2021, he is a person with
clean antecedent, charge-sheet has been submitted in the case
and is a young boy of 22 years of age.

The learned counsel for the petitioner submits that the
informant alleges that the petitioner along with five named
accused persons came to his house and started searching her son
Amit Kumar. When Amit Kumar was not found, the petitioner



fired saying, he would kill his son and when the husband of the informant came out and asked the accused as to why hurling abuses on which, it is alleged that Ashish Kumar fired on her husband on chest, who died at the spot.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner is not alleged to be the assailant. The only allegation against him is of firing in the air and threatening that he would kill the son of the informant. It is submitted that Ashish Kumar is alleged to be the main assailant of the husband of the informant. It is also submitted that petitioner is a young boy and is a person with clean antecedent and has been falsely implicated in the present case based on a general and an omnibus allegation of firing in the air. It is also submitted that if the petitioner remains in custody for a long time, the same will jeopardized his career and may turn out to be a criminal.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that petitioner is not alleged to be the main assailant and he is a person with clean antecedent.

Considering the fact that the petitioner is in custody,



he is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ara Muffasil P. S. Case No.111 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Jageshwar Singh.

The application stands allowed.

(Satyavrat Verma, J)

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