

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64502 of 2021**

Arising Out of PS. Case No.-200 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Nitish Singh @ Piklu S/O Munna Singh @ Akhileshwar Singh R/O Village-
Jalalpur, P.S.- G.B. Nagar, District- Siwan, Pin Code- 841506

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Mr. Rajesh Roy Mr. Manoj Kumar
For the Opposite Party/s :		Mr. Kumar Veerendra Narayan

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

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

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 364, 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 17.08.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

The learned counsel for the petitioner submits that on
13.08.2021 at 2.00 P.M., Markandey Singh and Ankit Singh
came to her house and took her son Happy Chaubey on the
pretext of inquiring about an incident relating to assault which
took place one day before. When they reached near the place of



occurrence, about 12 accused persons started indiscriminate firing killing her son and threw the dead body in a ditch. Further the dead body was recovered on 15.08.2021. Thus alleges that her son was killed by the aforesaid two accused, who had taken her son along with the petitioner and the named accused persons and 4-5 unknown accused persons.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and from bare perusal of the allegation as alleged in the F.I.R., it would manifest that informant is not an eye witness to the occurrence rather a general and omnibus allegation has been alleged against 14 accused persons in the F.I.R. out of which, it is alleged that 12 fired indiscriminately.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and the informant is not an eye witness to the occurrence and thus, the allegation hinges around suspicion, 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 G. B. Nagar P. S. Case No.200 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Munna Singh @ Akhileshwar Singh.

The application stands allowed.

(Satyavrat Verma, J)

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