

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64632 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- FATUA District- Patna

=====

MUKESH SINGH S/o Ram Sagar Singh @ Gorkhu Singh Resident of Village
- Jaggu Bigha, P.S. - Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 147, 148 and 149 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.03.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that on account of dispute relating to Chandan with his minor daughter, sixteen accused persons, including the petitioner, came to the house of the informant and on orders of Vinay Singh and the petitioner, accused Kundan fired causing injury on the head of the informant's wife who died.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated without alleging any overt act against him and he has been roped in the case as an order giver, it is also submitted that co-accused Binay Singh who is similarly situated has been granted bail vide order dated 26.04.2022 in Cr. Misc. No. 67265 of 2021.

Learned counsel for the petitioner fairly submits that trial is going on and out of six witnesses, three witnesses have been examined including the informant, but all the three witnesses have been declared hostile.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 27.03.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and the similarly situated co-accused has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sessions Trial No. 487 of 2021 arising out of Fatuha P.S. Case No. 177 of 2021.



Further, in the event, if the learned court below comes to a conclusion that after release, the petitioner is trying to delay the trial in any manner, the learned court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

Rishi/-

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

