

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65390 of 2021

Arising Out of PS. Case No.-313 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

ASHOK SINGH Son of Late Prabhu Singh Resident of Village- Daulatpur
Chandi, P.S.- Hajipur Sadar, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 30-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 313 of 2019 registered for the
offences punishable under Sections 302, 34 of the Indian Penal
Code.

As per prosecution case, there is accusation against
the present petitioner to give order as well as to hold the
deceased alongwith other.

Learned counsel for the petitioner submits that
petitioner is in custody since 12.08.2021. Petitioner bears two
criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that occurrence took place on 16.05.2019 and F.I.R. has been lodged on 23.05.2019 there is inordinate delay in lodging the F.I.R. Similar situated co-accused Ranjan Kumar Singh has already been granted bail vide Cr. Misc. No. 1531 of 2021 by co-ordinate bench of this court and the case of present petitioner stands on similar footing, so far as, the nature of allegation is concerned. There is allegation against petitioner that he is merely an order giver as well as he has caught hold the deceased alongwith the co-accused Ranjan Kumar Singh who has already been granted bail.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody is more than one year, similar situated co-accused has already been granted bail, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, 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 learned Chief Judicial Magistrate, Hajipur at Vaishali in connection with Hajipur Sadar P.S. Case No. 313 of 2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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