

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57716 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- BANIAPUR District- Saran

TARKESHWAR SINGH Son of Late Ramdev Singh Resident of Village -
Pandepur, P.S.- Baniyapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with

Baniyapur P.S. Case No. 222 of 2022 registered for the offence

under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.05.2022.

The allegation against the petitioner is to commit

murder of grandfather of the informant, along with other co-

accused persons, by making assault with sharp edged weapons,

while asking not to consume toddy.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case due to neighborhood local disputes and differences. It is submitted that allegation is marginal and limited against this petitioner only as to give order, whereas specific allegation as regard to fatal assault is available against co-accused, namely, Binod Singh, Dinesh Mahto and Harimohan Singh, who are not petitioners before this Court. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation against petitioner is only to give order to other co-accused persons, without any participation towards physical assault coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Baniyapur P.S. Case No. 222 of 2022 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,
Saran at Chapra/concerned Court, subject to the conditions as
laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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