

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69493 of 2021**

Arising Out of PS. Case No.-97 Year-2020 Thana- PASRAHA District- Khagaria

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DIPAK SINGH @ DIPAN SINGH Son of Sikandar Singh Resident of Village
- Piparpanti, P.S.- Pasraha, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears on behalf of the informant.

The petitioner seeks bail in connection with Pasraha
P.S. Case No. 97 of 2020 registered under Sections 364, 302,
201, 307 and 34 of the Indian Penal Code read with Section 27
of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.01.2021, charge-sheet has been
submitted in the case, has antecedent of two cases and the
informant alleges that his father after received firearm injury by
Sugan Yadav fell down in the boat and died while other accused
including the petitioner also fired indiscriminately and the
reason for the occurrence was related to fishing dispute in a
Jalkar.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in the present case. The assailant of the deceased is Sugan Yadav and petitioner is a *Gotiya* of the informant having land dispute and, thus, has been implicated by alleging general and omnibus allegation against him. It is further submitted that the co-accused Rakesh Yadav has been granted bail by order dated 29.01.2022 in Criminal Misc. No. 49959 of 2021.

The 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 25.01.2021, charge-sheet has been submitted in the case and co-accused has been granted bail, let the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Pasraha P.S. Case No. 97 of 2020, with the conditions that one of the bailors shall be the father of the petitioner namely Sikandar Singh and the petitioner will keep marking his attendance in the concerned police station between 25-30 of every month commencing from May, 2022 till framing of charges and in the event it is reported by the concerned police



station to the learned court below that the petitioner in between the aforesaid dates before framing of charge has not marked his attendance in any of the month, the court below will, forthwith, cancel his bail bonds. Further, the learned court below will get this order served on the concerned police station and the concerned S.H.O. will keep sending the report to the learned court below on the last date of every month till framing of charge that as to whether the petitioner is marking his attendance or not.

(Satyavrat Verma, J)

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