

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69822 of 2021

Arising Out of PS. Case No.-267 Year-2019 Thana- CHAUSA District- Madhepura

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UMESH SINGH Son of Late Mohan Singh Resident of Village - Khopariya,
Laulagan Purvi, Ward no.11, P.s.- Chousa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

At the outset, learned counsel for the petitioner
submits that the statement made in paragraph-9 of the bail
application be ignored in absence of the same having not been
made as opposite party in the case.

Prayer is allowed.

The petitioner is in custody in connection with Chausa
P.S. Case No. 267 of 2019 under Sections 341, 323, 384, 504
and 506/34 of the Indian Penal Code.

As per the allegation, the accused persons namely,
Santlal Singh, Sanjay Singh, Umesh Singh, Vivek Singh, Vikki



Singh @ Vikash Kumar (the petitioner herein), Munna Kumar Singh and Niranjana Singh reached the house of the informant and assaulted him and also demanded Rs. 50,000/- as ransom with the further allegation is that accused, Sanjay Singh pointed pistol at him. In this way, the First Information Report (FIR) is registered and the petitioner came into judicial custody on 12.08.2021.

Learned counsel for the petitioner submits that, even taken the entire FIR on his face value, an omnibus allegation of threatening is there for which he has suffered a lot by being in jail since 12.08.2021 (as stated in paragraph-12 of the bail application). He further submits that one of the co-accused, namely, Sanjay Singh, against whom it was also alleged that he pointed pistol on the informant, was released on bail by a co-ordinate Bench of this Court in Cr. Misc. No. 19212 of 2021 on 12.08.2021 (Annexure-2).

Taking into account the aforesaid facts that an omnibus allegation of threatening is there, charge-sheet stands submitted and the petitioner is in jail since 12.08.2021, this Court is inclined to grant him the privilege of bail with certain conditions.

Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 267 of 2019, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, this bail application is allowed.

(Rajiv Roy, J)

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