

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72157 of 2021**

Arising Out of PS. Case No.-130 Year-2020 Thana- SURYAPURA District- Rohtas

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Ravindra Singh @ Ravindra Kumar Singh S/O Lalan Singh R/o village-  
Agrer Kala Tola, P.S.- Surayapura, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 72503 of 2021**

Arising Out of PS. Case No.-130 Year-2020 Thana- SURYAPURA District- Rohtas

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Kunj Bihari Singh@Mukesh Kumar Singh Son of Hareram Singh @  
Ramdayal Singh Resident of Village - Agrer Kala Tola, P.S.- Suryapura,  
Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 72157 of 2021)

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

For the Informant/s : Mr. Nityanand Tiwari, Adv.

(In CRIMINAL MISCELLANEOUS No. 72503 of 2021)

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

For the Informant/s : Mr. Nityanand Tiwari, Adv.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      17-10-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioners, learned  
counsel for the informant and learned A.P.Ps. for the State.

The petitioners seek regular bail in connection with

Suryapura P.S. Case No. 130 of 2020 lodged under Sections 147, 148, 149, 341, 323, 302, 307, 504, 506 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the informant has alleged that in the morning of 05.09.2020, total 8 accused persons have gathered at the house of the informant, then one Hareram Singh order giver on his instance, the accused persons started assaulting. The specific allegation against Hareram Singh to make *lathi* blow on the head of Bhikhari Singh. Specific allegation against the present petitioner and one Nandu Singh as well as the petitioner for second case Kunj Bihari Singh to make indiscriminate firing by *desi katta*. It has been alleged in the F.I.R., due to injury, the father of the informant died near the door and 2 other injured persons were admitted to primary center. The cause for dispute is the lane situated near the house of the informant and petitioners.

Learned counsel for the petitioners submit that petitioners are innocent and has committed no offence. He further submits that from the F.I.R., it transpires that the cause of dispute is for lane. He submits that the specific allegation against the present petitioners is to make fire but it is also true that by the said firing, no one is injured. He further submits that petitioners are in custody since 08.09.2021, charge sheet has

already been filed in this case. The criminal antecedent of petitioner of first case is clean whereas the antecedent of the petitioner of the second case is not clean and one case of excise matter is pending against him in which he is on bail. Learned counsel further submits that a similarly situated co-accused Hareram Singh has been granted bail by the Co-ordinate Bench of this Court vide order date 11.08.2022 passed in Cr. Misc. No. 146 of 2022.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against the accused persons including the present petitioners to commit crime reaching at the house of the informant which resulted into death of the father of the informant. Learned counsel further submits that specific allegation of indiscriminate firings are there on the petitioners.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, District-Rohtas in connection with

Suryapura P.S. Case No. 130 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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