

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72302 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- CHAUSA District- Madhepura

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UMESH SINGH Son of Late Mohan Singh Resident of Village - Khopariya,
Laulalagan Pu8rvi, 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.Alok Kumar Singh, Adv.

For the Opposite Party/s : Mrs.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chausa
P.S. Case No. 237 of 2020 registered for the offences punishable
under Sections 307, 302, 120(b) and 34 of the Indian Penal
Code read with Section 27 of the Arms Act.

The learned counsel for the petitioner submits that
petitioner is in custody since 22.07.2021, charge-sheet has been
submitted in the case and has antecedent of four cases and the
informant alleges that while he was standing on road in front of
his house, the petitioner along with twelve criminals came and
Shankar Singh fired causing injury on left shoulder of the
informant, further on orders of Khantar Singh, accused Vicky
Singh fired on Suman Kumar Singh (deceased) causing injury



on neck. Thereafter it is alleged that Niranjana Singh fired hitting Suman Kumar Singh (deceased) on chest and accused Suman Kumar also fired at the deceased Suman Kumar Singh.

The learned counsel submits that informant is a Sub Inspector of Police and he has falsely implicated the present petitioner based on his antecedents though in the FIR specific allegation of firing is against Shankar, Vicky, Niranjana and Suman, the petitioner is not alleged to have fired and as such is not the assailant of the deceased.

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 22.07.2021, charge-sheet has been submitted in the case and is not alleged to have fired and thus is not the assailant, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Chausa P.S. Case No. 237 of 2020 with a condition that one of the bailor of the petitioner shall be his son Deepak Kumar.

Further if the learned court below comes to a



conclusion that petitioner after his release is trying to delay the trial of the case in any manner, the court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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