

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1711 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- DUMRAO District- Buxar

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Mukesh Kumar Singh S/o Lalbahadur Singh R/o Naya Bhojpur, P.S. -
Dumraon (Naya Bhojpur O.P.), Dist. - Buxar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Chandra Shekhar Azad, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 447, 341, 323, 307, 504,
506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the five named accused
persons are stated to have come variously armed. It is further
stated that the accused petitioner fired in the back of the father of
informant and ran away. Accused Lalbahadur Singh assaulted the
uncle of the informant with an iron rod while accused Nagendra
Singh assaulted the informant with a spade causing injuries on



his head and leg. Accused Dheeraj Kumar fired from country made pistol but somehow informant and his family could save themselves from the bullet. Accused Gopal Singh also assaulted the younger brother of the informant by means of *Vaishakhi*.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that there is case and counter case between the parties and there is admitted land dispute between them and there is no intention to fire upon the father of the informant and the police after investigation submitted chargesheet against the petitioner. Co-accused persons namely Lal Bahadur Singh and Nagendra Singh have been granted bail by a Coordinate Bench of this Court vide order dated 29.11.2021 in Cr. Misc. No. 26638 of 2021 and another co-accused persons namely Gopal Singh @ Gopal Kumar Singh has been granted bail by a Coordinate Bench of this Court vide order dated 15.04.2022 in Cr. Misc. No. 44325 of 2021 and the petitioner is in custody since 16.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Court below where the case is pending in connection with Dumraon P.S. Case No. 27 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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