

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63462 of 2022

Arising Out of PS. Case No.-292 Year-2022 Thana- RAFIGANJ District- Aurangabad

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Anuj Singh @ Anuj Kumar Singh S/O Sri Saryu Singh R/O Village- Bibipur,
P.S- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

At the outset, learned counsel for the petitioner seeks
permission to correct antecedents of the petitioner, inadvertently, as 3
more criminal antecedents left out to be mentioned in para-3.

Accordingly, learned counsel for the petitioner is
permitted to make necessary correction during the course of the day
itself.

The petitioner seeks bail in connection with Rafiganj P.S.
Case No. 292 of 2022 registered for the offence under Sections 147,
148, 149, 341, 323, 307, 448, 354, 504 and 506 of the Indian Penal
Code and under Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in



custody since 17.09.2022.

The allegation against the petitioner is to commit murder of wife of the informant, alongwith other co-accused persons by causing fire arm injuries due to long-standing land disputes.

Learned counsel appearing on behalf of the petitioner submitted that the allegation to cause fatal fire arm injury is available against co-accused persons, namely, Dhananjay Singh and Ranjay Singh, as per face of F.I.R., where petitioner appears as a part of crowd. It is submitted that petitioner implicated in present case being brother of main co-accused and also for the reason that the licensed arms, which are alleged to be used in present occurrence is in name of the petitioner. It is submitted that as petitioner found involved in 6 more criminal cases, his name surfaced in present case also only due to land disputes, whereas he has already acquitted in 2 cases. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel, Mr. Naval Kishore Singh appearing on behalf of the informant opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation to cause fatal fire arm injuries is not available against this petitioner, rather is available against other co-accused persons coupled with the fact that charge-sheet has been submitted,



let the petitioner, above named, is directed to be released on bail in connection with Rafiganj P.S. Case No. 292 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned court, subject to the following conditions:

“(i) That the accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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