

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7936 of 2023

Arising Out of PS. Case No.-96 Year-2021 Thana- SAHPUR District- Bhojpur

1. Harendra Singh @ Bua Singh, age 30 years, Male Son of Shiv Janam Singh.
 2. Arun Singh @ Kariya Singh, age 28 years, Male Son of Shivji Singh.
- Both Resident of Village- Ishwarpura, P.S.- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

For the Informant : Mr. Manindra Kishore Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners; learned APP
for the State and learned counsel for the informant.

The petitioners seek bail in connection with Shahpur (Karnameypur) P.S. Case No. 96 of 2021 dated 10.04.2021 registered for the offence punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story in nutshell is that the accused persons armed with riffle surrounded the informant and told not to do favour in the Mukhiya election to which the informant replied that he could have helped anyone in the election, as a result of which the petitioner No. 1 fired upon the informant



which missed and passed behind his chest. Dhanu Singh and Bua Singh assaulted the informant by means of fist and slap.

Learned counsel for the petitioners submits that the petitioners are falsely implicated in this case by the informant due to election enmity. The informant got no injury. The charge sheet in this case has already been submitted. Petitioners are in jail custody since 16.08.2022 without any reliable evidence against them.

Learned APP for the State and learned counsel appearing for the informant have opposed the prayer for bail and submitted that petitioner No. 1 has criminal antecedent.

Considering the facts and circumstances of the case and the submission of learned counsel for the parties, let the petitioners above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Bhojpur at Ara in connection with Shahpur (Karnameypur) P.S. Case No. 96 of 2021, subject to the following conditions.

(i) Petitioners 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 their bail bond shall be cancelled by the Court below.

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

(Sunil Dutta Mishra, J)

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