

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13549 of 2023

Arising Out of PS. Case No.-400 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Rohit Singh @ Dina Kumar Son Of Dilip Kumar Sinha R/O Village- Chhippi
Tola, Ganesh Lal Raod, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is not named in the F.I.R. and
apprehended his arrest in connection with Chowk P.S. Case
No.400 of 2021 registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The allegation against the petitioner is to commit
murder of brother of the informant alongwith other unknown
co-accused persons by causing firearm injuries during idol
immersion.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in the F.I.R. and his name



surfaced during the course of investigation, where fourteen (14) persons were named including this petitioner, where specific allegation to cause firearm injury is available against co-accused Pankaj Kumar @ Doriya and Guddu @ Gabru. It is also submitted that similarly situated co-accused Deepak Kumar @ Deepak Thakur has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No.22698 of 2022 vide order dated 26.09.2022. It is submitted that maximum allegation as appears against this petitioner is to be part of mob only. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as petitioner appears only part of mob, where specific allegation of firing is available against co-accused namely Pankaj Kumar and Guddu, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-IV, Patna City, Patna/concerned Court below where
the case is pending in connection with Chowk P.S. Case No.400
of 2021 subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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