

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16187 of 2023

Arising Out of PS. Case No.-330 Year-2022 Thana- KHUSRUPUR District- Patna

Suresh Singh Son of Late Devsharan Singh R/V- Lodipur Masurpur, P.S-
Khusrupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khusharupur P.S. Case No. 330 of 2022 dated 27.08.2022
lodged under Sections 302/ 34 of the I.P.C. read with Section 27
of the Arms Act.

As per the prosecution case, the allegation of murder
is against 20 named accused persons including the present
petitioner.

Learned counsel for the petitioner submits that the
petitioner is old aged person about 65 years of age and from the
contents of the F.I.R., there is absolutely no allegation of firing

on the deceased against the present petitioner. The only allegation against the petitioner is that they were attacked by rifle keeping in their hand upon the informant.

Counsel further submits that the petitioner is in custody since 06.09.2022 and one case is pending against him in which he is on bail. Counsel further submits that from the contents of the F.I.R. itself, it transpires that the cause of dispute is the quarreling which took place between the children of both the families.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner is the main culprit on whose instance the entire occurrence took place. There is specific allegation against him that he was also the member of mob, keeping rifle at his hand and tried to assault the informant.

Upon specific query that whether charge has been framed in this or not, counsel submits that charge has not been framed in this case.

In the present facts and circumstances of this case and considering the old aged of the petitioner, this Court is inclined

to grant bail to the petitioner on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J. M. 1st Class, Patna City in connection with Khusharupur P.S. Case No. 330 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with condition that the petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed without fail till framing of charge in this case.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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