

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16887 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- DINARA District- Rohtas

PAPPU SINGH @ SUNIL KUMAR @ SUNIL KUMAR SINGH S/o Mangla
Singh Resident of Village - Jigna, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18147 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- DINARA District- Rohtas

SUSHIL SINGH @ SUSHIL KUMAR SINGH Son of Sukhari Singh
Resident of Village - Jigna, P.S.- Dinara, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30066 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- DINARA District- Rohtas

SUKHARI SINGH S/o Baidyanath Singh Resident of Village- Jigna, P.S.-
Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16887 of 2022)

For the Petitioner/s : Mr.Durgesh Nandan

For the Opposite Party/s : Mr.Tapeshwar Sharma

(In CRIMINAL MISCELLANEOUS No. 18147 of 2022)

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Rina Sinha

(In CRIMINAL MISCELLANEOUS No. 30066 of 2022)

For the Petitioner/s : Mr.Viveka Nand Singh

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR



ORAL ORDER

4 01-02-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioner has prayed for bail in a case instituted for the offence punishable under Sections 147, 148, 149, 448, 302, 504, 506, 341, 323, 337, 338 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, on 29.03.2021 while the informant was sitting at the dalaan of villager Satyendra Singh, several accused persons came there and started to abuse him. On oppose made by the informant, several accused persons including the petitioners came there variously armed and opened fire as a result of which Satendra Singh succumbed to injuries.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Due to village politics, there was free fight and indiscriminate firing from both sides in which members of both sides have received injuries. Allegation against petitioner Pappu Singh is that he fired upon Vijay Kumar, who received injury upon left shoulder, which is a non-vital organ and doctor disclosed the nature of injury as simple. No specific allegation of firing against petitioner Sukhari Singh rather specific allegation of firing upon the deceased is against petitioner Sushil Singh. Petitioners are



languishing in judicial custody for more than a year.

The application for bail is opposed by learned APP for the State and submitted that specific allegation of firing is against petitioner Sushil Singh.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner Sukhari Singh and Pappu Siongh on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sasaram, Rohtas in connection with Dinara P.S. Case No. 64 of 2021.

So far as petitioner Sushil Singh is concerned, there is direct allegation of firing against him, I am not inclined to grant bail to him and, as such, his prayer for bail stands rejected.

(Sunil Kumar Panwar, J)

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