

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21086 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- RAGHUNATHPUR District- Siwan

Rajan Singh @ Chinese Son of Birendra Singh Resident of Village - Sarhara,
P.S.- Siswan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Raghunathpur P.S. Case No. 26 of 2022 dated 10.02.2022, instituted for the offence punishable under Sections 341, 323, 307, 34 of the Indian Penal Code and Section 27 Arms Act.

3. The prosecution case, in short, is that on 09.02.2022 at about 11.30 P.M., the informant had gone to playground of Tari High School for attending a marriage ceremony and was watching orchestra. During this, some criminal type persons came and pushed him. On protesting, one of them fired on him twice, out of which one hit beneath of his chest and the other passed through his head. It has been alleged that informant identified that one of the accused is Rajan Singh @ Chinese. It has also been alleged that all the accused persons were with gun.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to village politics. Learned counsel for the petitioner submits that there is no specific allegation on the petitioner that he had fired on the informant. The allegation against the petitioner is general and omnibus. Lastly, it has been submitted that the petitioner is in custody since 07.12.2022 having five (5) criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIII, Siwan, in Raghunathpur P.S. Case No. 26 of 2022, subject to the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood



relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

premchand/-

U			
---	--	--	--

