

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 21284 of 2023

Arising Out of PS. Case No.-908 Year-2022 Thana- ARA NAGAR District- Bhojpur

1. SUBHASH SINGH SON OF LATE PARAS SINGH RESIDENT OF MUHALLA - SHIVPUR (ANAND NAGAR), P.S. - ARA NAGAR, DISTT. - BHOJPUR
2. SATENDRA SINGH SON OF LATE PARAS SINGH RESIDENT OF MUHALLA - SHIVPUR (ANAND NAGAR), P.S. - ARA NAGAR, DISTT. - BHOJPUR
3. NIKKI KUMAR SINGH @ NIKKI KUMAR SON OF SATENDRA SINGH RESIDENT OF MUHALLA - SHIVPUR (ANAND NAGAR), P.S. - ARA NAGAR, DISTT. - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Rajani Ranjan Pd. Singh, Advocate
For the State	:	Mr Ashok Kumar Singh, APP
For the Informant	:	Mr Madan Mohan, Advocate

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioners have preferred this application for grant of regular bail in connection with Ara Nagar Police Station (for brevity, **PS**) Case No 908 of 2022 dated 18.10.2022



registered for the offence punishable under Sections 341, 323, 324, 307 of Indian Penal Code (for brevity, *IPC*), later on added with Section 302 of IPC and Sections 25 (1-b) a, 26, 27, 35 of Arms Act.

As per prosecution case, the informant came to his native village to sell the land of his share, so he had gone to the Registry office. In the meantime, the petitioners and the co-accused persons reached there and objected to execute the sale deed. Thereafter, the accused persons called the informant and his family members to settle the dispute. In the meantime, when the informant and his family members reached near school, all the accused persons started assaulting them with lathi and danda and the co-accused Mohit Singh fired which hit the informant's son on his head.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioners. Cause of death of informant's son is fire arm injury, inflicted by the co-accused Mohit Singh. The petitioners bear clean antecedent, as stated in paragraph 3 of the bail petition. They are in custody in this case since 30.11.2022.

Learned counsel for the informant and learned APP



have vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioners, the petitioners above named are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in Ara Nagar PS Case No 908 of 2022 dated 18.10.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

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