

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21197 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- MAIRWAN District- Siwan

=====

Ankit Kumar Singh @ Ujjwal Singh @ Ujjwal Kr. Singh S/O Late
Panchanand Singh Resident of Village- Kakarihadin, P.S- Darauli, District-
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
04.07.2022 in connection with Mairwa P.S.Case No.214 of
2022, S.Tr.No.510 of 2022, F.I.R. dated 25.05.2022 registered
for the offence punishable under Sections 302,120(B)of IPC
and Section 27 of the Arms Act.

Prosecution case, in short is that the informant's
father went out of his house for Sundarpar and in the way,
some unknown persons shot dead him.

Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner is not named in the FIR. The name of



the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Himanshu Singh. Further submits that in his statement, the co-accused Himanshu Singh categorically stated that Himanshu Singh is Pattidar of the deceased and there is admitted land dispute between them and in his statement, Himanshu Singh categorically stated that he has fired upon the deceased. Further submits that co-accused person, namely, Niraj Kumar, against whom the similar allegation that he was accompanied with other co-accused persons, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 01.05.2023 passed in Cr. Misc. No.15131 of 2023 and except the confessional statement of other co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 04.07.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other



than the present one but fairly submits that out of two cases, in one case the petitioner is on bail and rest one case is pending for consideration, as mentioned in para-3 of the bail petition.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Siwan in connection with Mairwa P.S.Case No.214 of 2022, S.Tr.No.510 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

