

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24545 of 2023

Arising Out of PS. Case No.-684 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

CHANDAN KUMAR @ CHANDAN KUMAR SINGH @ CHANDAN
NAGMANI SINGH Son of Shri Mukesh Prasad Singh R/V- Balwa Kuwari
(Kuwari Khurd) P.S- Sadar Hajipur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-08-2023 Heard the parties.

The petitioner is in custody in connection with Sadar P.S. Case No. 684 of 2022 for the offence under sections 147, 148, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code lodged on 29.08.2022 by the informant, Ramesh Prasad Singh.

As per the prosecution story, the allegation is that Manish Singh, who had given Rs. 5,000/- to the informant's son wanted it back, he was accompanied by other accused persons including this petitioner. Further, allegation is that they started assaulting the informant's son and Manish Singh gave knife blow on the chest of his son which ultimately resulted into his death in Sadar Hospital, Hajipur. Accordingly, the F.I.R.



Learned counsel for the petitioner submits that main allegation of giving knife blow on the chest is on Manish Singh, omnibus allegation is against accused persons, is in custody since 06.11.2022 (as stated in paragraph 16 of the petition) and he do not have criminal antecedent.

Learned counsel for the informant submits that he was ably abating and assisting Manish Singh who gave the fatal blow to the informant's son.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that the main allegation is against Manish Singh, omnibus allegation is against this petitioner and he do not have criminal antecedent, is in custody since 06.11.2022, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M. Vaishali, at Hajipur, in connection with Sadar P.S. Case No. 684 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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