

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24047 of 2022

Arising Out of PS. Case No.-130 Year-2019 Thana- SUPPI District- Sitamarhi

Dheeraj Kumar Singh @ Dhiraj Kumar Singh, Son of Lalan Singh, Resident
of Village - Basant Khurd, P.S.- Suppi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyama Kant Singh, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 16-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Suppi P.S.
Case No.130 of 2019 (G.R. No.2280 of 2019) registered for the
offence punishable under Sections 307, 120B/34 of the Indian
Penal Code and Section 27 of the Arms Act.

In the F.I.R., there is an allegation that three accused
persons, including the petitioner, have arrived on a motorcycle
and indiscriminately fired upon the informant's son.

It is submitted by the learned counsel for the
petitioner that in the re-statement, informant has stated that co-
accused Monu Singh has fired upon his son. The learned
counsel submits that on this ground alone, co-accused Pintu
Kumar has been allowed bail in Cr.Misc. No.42694 of 2021.



Co-accused Monu Kumar Singh has also been allowed bail in Cr.Misc. No.57429 of 2022. The petitioner's counsel prays for grant of bail on the ground of parity as also the fact that he has remained in custody since 30.08.2019. In so far as his antecedents is concerned, it is submitted that apart from this case, there are 13 antecedents and in 11 of those cases, he has been on bail. He has not been remanded in Sheohar P.S. Case No.142 of 2019 and Bathnaha P.S. Case No.120 of 2019.

Learned APP for the State has opposed the prayer for bail. However, he is not in a position to dispute the fact that bail has been granted to other co-accused persons.

Considering the rival submissions, claimed based on parity and his custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, 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 the learned C.J.M., Sitamarhi, in connection with Suppi P.S. Case No.130 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give



an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

