

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26248 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Sittu Kumar Singh @ Sittu Singh, Male, aged about 27 years, Son of Ram Pujan Singh Resident of Village - and P.S.- Sarai, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with K. Hat P.S. Case No. 19/2022 dated 06.01.2022 (GR No. 89/2022) registered for the offence punishable under Section 302, 120(B) of the Indian Penal Code and 27 of Arms Act.

Learned counsel for the petitioner submits that it has been alleged in the F.I.R. that the son of the informant was shot at by two persons, namely, Aashish Singh @ Athia and Shyamlal Singh, as a result of which he died.

The implication of the petitioner in this case is on the basis of confession made by the aforesaid two named assailants.

There is no direct evidence against the petitioner and he is in custody since 23.01.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, as also the fact that the co-accused Chhotu Singh @ Rishikesh Singh @ Rishikesh Kumar Singh @ Pathal Singh has been allowed bail in Criminal Miscellaneous No.



50339 of 2022, 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.

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 Chief Judicial Magistrate (CJM), Purnea, in connection with K. Hat P.S. Case No. 19/2022 dated 06.01.2022 (GR No. 89/2022), 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)

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