

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26824 of 2023**

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

HIMANSHU SINGH S/O MANOJ KUMAR SINGH @ MANOJ SINGH  
Resident of Village- Babhnaulai, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      25-07-2023                      1. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since  
04.07.2022 in connection with Mairwa P.S. Case No.214/2022,  
dated 25.05.2022, for the offences punishable under Sections  
302/120B of the IPC & Section 27 of the Arms Act.

3. According to prosecution case, the informant's  
father went out of his house for Sundarpar and in the way, some  
unknown persons shot dead him.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. He  
further submits that the petitioner is not named in the F.I.R. The  
name of the petitioner has been transpired during investigation  
on the basis of self confessional statement of the petitioner and  
except the self confessional statement of the petitioner, no other



cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused, namely, Ankit Kumar Singh @ Ujjwal Singh @ Ujjwal Kr.Singh and Neeraj Kumar have been granted bail by this court and by a co-ordinate Bench of this Court vide order dated 12.07.2023 & 01.05.2023 passed in Cr. Misc. No.21197/2023 & Cr. Misc. No.15131/2023 respectively. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 04.07.2022.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried three criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances, 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 Additional Sessions Judge-VII, Siwan in connection with S.Tr. No.510/2022, arising out of Mairwa P.S. Case No. 214/2022,



subject to 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 absence on two consecutive dates without sufficient reason, his 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)**

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