

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29172 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

PRINCE SINGH, Son of Late Dinesh Singh Resident of village-Bakhriya,
Near Mathiya, P.S.-Ara Muffasil, District-Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Pandey, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ara Muffasil P.S. Case No. 49 of 2023, lodged on 31.01.2023
under Sections 302 and 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons against whom there
is specific allegation of firing from pistol upon the informant
due to which the deceased was injured and subsequently died.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR whereas the specific
allegation is against four named accused persons to open fire on
the informant in which one Bindhyachal Prasad was killed. He



further submits that the petitioner is in custody since 21.02.2023 and apart from the present case two other criminal cases are also pending against him in which he is on bail. Moreover, the name of the petitioner has come in the confessional statement of the co-accused which is apparent from the rejection order. Learned counsel for the petitioner further submits that one co-accused, Kamlesh Yadav has been granted regular bail by a co-ordinate Bench of this Court vide order dated 25.05.2023 in Criminal Miscellaneous No. 27921 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is a case of Section 302 of the Indian Penal Code, but he also accepts that the name of the petitioner has not figured in the FIR.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 49 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.with other following conditions:

A. The petitioner shall support in trial and



shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

(Dr. Anshuman, J)

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