

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30157 of 2023

Arising Out of PS. Case No.-184 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Ramesh Singh @ Golki Singh @ Golki, Son of Rajendra Singh @ Khopdi
Singh, Resident of village - Babhangama, P.S. - Nowkothi, Distt. - Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Mritunjay Kumar, Advocate
		Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Nowkothi P.S. Case No.184 of 2021 registered for the
offences punishable under Sections 341, 504, 506, 307, 120 read
with 34 of the Indian Penal Code, Section 27 of the Arms Act as
well as Sections 3 and 4 of the Explosive Substances Act.

The accused/petitioner is named in the FIR and is
in custody since 21.10.2022.

Allegation against the petitioner is to open fire and
also to plant a live bomb in front of the house of the informant
along with other co-accused persons out of previous enmity.

It is submitted by learned counsel that the narration



of FIR is sufficient to suggest false implication as petitioner named with present case on the basis of input provided by unknown co-villagers. It is also submitted that the reason of false implication is also suspicion arises from criminal antecedents of this petitioner, as he found involved in 16 or 17 criminal cases. It is further submitted that there is no specific allegation raised against this petitioner. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by Mr. Mritunjay Kumar, learned counsel for the informant opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances, as entire implication is raised on the basis of hearsay input of unknown villagers, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.10.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Begusarai in connection with Nowkothi



P.S. Case No.184 of 2021, subject to the conditions as laid down
under Section 437(3) of the CrPC and with further conditions:-

(i) That petitioner shall not involve in
any nature of criminal case till the conclusion of
trial, failing which the State shall be at liberty to
move before the Trial Court itself for the
cancellation of bail bond of the petitioner.

(ii) That petitioner shall co-operate in
the trial and shall be physically present on each
and every date before the Trial Court till
conclusion of the trial and exemption from
physical appearance be allowed by the Trial
Court only on medical ground of the petitioner
duly supported by the documents.

(iii) That one of the bailors shall be
deponent of the present bail petition.

(Chandra Shekhar Jha, J.)

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