

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31826 of 2023

Arising Out of PS. Case No.-82 Year-2020 Thana- BASANTPUR District- Siwan

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Damodar Singh, S/o Late Mathura Singh, R/o Village- Bithuna, P.S-
Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Basantpur
P.S. Case No. 82 of 2020 registered for the offence under
Sections 323, 447, 307, 385, 387, 504, 506, 34 of the Indian
Penal Code and 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.02.2023.

The allegation against the petitioner is to open fire
upon the informant alongwith other co-accused persons causing



firearm injury, where occurrence took place out of previous enmities.

Learned counsel appearing on behalf of the petitioner submitted that from the bare narration of the FIR, it appears that allegation of firing is not available against this petitioner rather same is available against co-accused, namely, Arvind Singh and Anshu Kumar, who have already granted bail by learned co-ordinate Bench of this Court through Cr. Misc. No. 2760 of 2022 dated 14.11.2022 and Cr. Misc. No. 31037 of 2022 dated 16.11.2022. While concluding the argument, it is submitted that petitioner found involved in six more criminal cases, where he is on bail in five cases, and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of firing is not available against this petitioner, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 21.02.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Basantpur P.S. Case No. 82 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-X,
Siwan/concerned Court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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