

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36866 of 2023

Arising Out of PS. Case No.-125 Year-2020 Thana- BUNIYAD GANJ District- Gaya

TINKU SINGH Son of Anil Kumar Singh @ Anil Singh Resident of Mohalla-
Gopalganj Road, Buxariya Tola, Manpur, PS- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Sudhir Kumar Sinha, Advocate Mr. Kumar Rajdeep, Advocate
For the informant	:	Mr. Neeraj Singh, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-07-2023 The petitioner is in judicial custody in connection with Buniyadganj P.S. Case No. 125 of 2020 instituted under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act lodged on 09.08.2020.

As per the prosecution story, the allegation is that when the informant was going on a motorcycle with Uttam Kumar as pillion rider, 10-12 accused persons intercepted and assaulted them. The further allegation is that they opened fire causing injury to Uttam Kumar who was taken to Jai Prakash Narayan Hospital and from there, he was referred to P.M.C.H., Patna. Accordingly, the present FIR came to be lodged.



Earlier the bail application was rejected vide Cr. Misc. No. 35919 of 2022 on 21.09.2022.

Learned Senior Counsel submits that he has already suffered by being in custody since 2.3.2022 (as stated in para-13 of the bail application) and further one of the co-accused Pragyash Raj has been granted bail vide Cr. Misc. No. 39205 of 2020.

Mr. Neeraj Singh, learned counsel for the informant on the other hand submits that from the date of occurrence, the informant's side are continuously threatening the informant as also the other witnesses and as such his release may jeopardize the trial.

Mr. N.K. Agrawal, learned Senior Counsel submits that the petitioner is ready to abide by all the terms and conditions, if granted the privilege of bail.

Taking into account the aforesaid facts, the submission put forward by the learned Senior Counsel as also that one of the co-accused has been granted bail, this Court is inclined to grant him the privilege of bail after framing of charges.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



like amount each to the satisfaction of learned A.C.J.M.-VIII, Gaya, in connection with Buniyadganj P.S. Case No. 125 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

The trial Court is directed to expedite the trial and conclude the same within a period of one year from the date the



charges are framed.

The Cr. Misc. No. 36866 of 2023 stands disposed of.

(Rajiv Roy, J)

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