

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34219 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- DINARA District- Rohtas

NAND KISHOR SINGH @ KISHORI SINGH SON OF LATE DILIP
SINGH R/O VILLAGE- JIGINA, P.S.- DINARA, DISTRICT- ROHTAS AT
SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37614 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- DINARA District- Rohtas

MANTU SINGH @ MANTU KUMAR @ MANTU KUMAR SINGH Son of
Bharat Singh Resident of village - Jigna, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34219 of 2022)

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Ajit Kumar

For the Informant : Mr. Viveka Nand Singh

(In CRIMINAL MISCELLANEOUS No. 37614 of 2022)

For the Petitioner/s : Mr. Mahendra Prasad Bhartee

For the Opposite Party/s : Ms. Anita Kumari

For the Informant : Mr. Viveka Nand Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 14-02-2023 Heard Ld. counsel for the petitioners and Ld. APP

for the State.

The petitioners seek bail in connection with Dinara

P.S. Case No. 65 of 2021, registered for the offences

punishable under Sections 147, 148, 149, 337, 338, 307,



504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is that on 29.03.2021 at about 12:30 P.M., when the informant was returning home from *Kali Asthan* and when he reached near the mill of Bharat Singh, the accused-petitioner Kishori Singh fired at him which caused injuries to him. Later on, the accused persons also assaulted other family members of the informant.

Ld. counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. They further submit that there is case and counter case and the alleged injury is simple in nature. They also submit that investigation in this case is complete and charge-sheet has already been submitted but charge has not been framed till date.

They further submit that the petitioners have been languishing in jail since 01.04.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner, namely, Mantu Singh has



one criminal antecedents whereas petitioner, namely, Nand Kishor Singh has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have moved this Court earlier for anticipatory bail vide Cr. Misc. No. 57957 of 2021.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. concerned Trial Court in connection with Dinara P.S. Case No. 65 of 2021, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their



absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the



certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

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