

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36553 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- ADAPUR District- East Champaran

Rahul Singh Son Of Birendra Singh @ Virendra Singh Resident Of Village-
Laxmipur, Bhawanpur, Ps- Adapur, Distt- East Champaran.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Ms.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2023 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 Adapur
P.S. Case No. 254 of 2022, registered for the offence under
Sections 341, 323, 324, 354, 385, 504/34 of the Indian Penal
Code and Sections 3 [i][r][w] SC/ST Act and Section 37 of
Bihar Prohibition and Excise (Amendment) Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.02.2023.

The allegation against the petitioner is to assault
informant and others alongwith co-accused persons by means of
iron rod, knife, butt of pistols etc., where occurrence is alleged



to be arises out of local political differences.

Learned counsel appearing on behalf of the petitioner submitted that save and except naming of this petitioner, no incriminating material appears to be surfaced as per narration of the FIR against this petitioner. It is submitted that thrust of allegation is available against co-accused Deepak Singh, who has granted bail by one of the co-ordinate Bench of this Court through Cr. Misc. No. 59590 of 2022 dated 07.12.2022. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail 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 thrust of allegation *qua* physical assault is available against co-accused Deepak Singh, not against this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.02.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Adapur P.S. Case No. 254 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Exclusive Special Excise Court No. 2, East Champaran
at Motihari/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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