

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37247 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- KAUWAKOL District- Nawada

AKHILESH SINGH @ AKO SINGH Son of Late Shyamdeo Singh Resident
of village - Charaul, P.S- Rupau, Distt - Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr.Advocate
	:	Mr.Lakshmi Kant Sharma, Advocate
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Manish Kumar, Advocate
	:	Mr. Md. Ataul Haque, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2023 Heard Mr. Ramakant Sharma, learned senior
counsel appearing for the petitioner, learned counsel for the
informant and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
27.03.2023 in connection with Kawakole (Rupau) P.S. Case
No. 84 of 2023, F.I.R. dated 09.02.2023 registered for the
offence punishable under Sections 302/34 of IPC and Section
27 of the Arms Act.

3. Allegation against the petitioner is to commit
murder of son of informant along with other co-accused
persons by causing firearm injuries, where occurrence is
arises out of non-fulfilment of extortion money of Rs.5 lakhs.



4. Learned senior counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that from bare perusal of the FIR it appears that there is no accusation of any assault or overt-act attributed against the petitioner rather the petitioner is only the order-giver and the co-accused, namely, Sunand Kumar @ Chhotu Singh shot dead deceased Amardeep Kumar and the similarly situated co-accused persons, namely, Kundan Singh @ Kumud Ranjan and Amit Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 24.05.2023 and 05.07.2023 passed in Cr. Misc. Nos. 28268 of 2023 and 30903 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.03.2023.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is master mind of the present occurrence, apart from that the petitioner carries four more cases other than the present one but fairly submits that out of four cases, the petitioner has been acquitted in three cases and rest one case



is pending for consideration, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Kawakole (Rupau) P.S. Case No. 84 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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