

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43637 of 2022**

Arising Out of PS. Case No.-16 Year-2022 Thana- NAYAGAON District- Begusarai

RAJ KISHORE SINGH @ RAM KISHORE SINGH S/o Rambaran Singh  
R/o village- Mathar, P.S.- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr.Pushpendra Kumar Singh, Advocate |
| For the State        | : | Mr.Mithlesh Kumar Khare, APP        |
| For the Informant    | : | Mr. Ashok Kumar, Advocate           |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      31-01-2023                      Heard   the   learned   counsel   for   the  
petitioner and the learned A.P.P. for the State.

The   petitioner   seeks   regular   bail   in  
connection with Nayagaon P.S. Case No. 16 of 2022  
registered for the offence punishable under  
Sections 147, 148, 149, 341, 323, 307, 387, 504,  
506 and 379 of the Indian Penal Code and Section  
27 of the Arms Act.

The   case   of   the   prosecution, in brief,  
according to the informant is that on 04.03.2022 at  
about 7:00 P.M., while he was at home and his  
family members were cooking food, 5-6 people  
entered his house, variously armed, with the  
intention to commit robbery and then the accused



persons, namely, Karu Singh, Shankar Singh, Gulshan Kumar Singh, Balram Singh, Saurav Singh and Akhilesh Kumar Singh, who could be recognized by the informant, had threatened the informant and his family members and had committed loot, whereafter, they had looted a sum of Rs. 10,000/- and other articles. It is also alleged that some co-accused persons were also standing outside the house, variously armed, and he could recognize some of them, namely, Bipin Kumar, Mukund Kumar, Gopal Kumar, Ramayan Kumar and the petitioner herein. The informant has also alleged that the co-accused person, namely, Ghanshyam Singh had fired upon him, in his stomach resulting in him sustaining fire arm injury, whereafter, the co-accused person, namely, Bipin Singh had assaulted the sister-in-law of the informant and then the co-accused person, namely, Shankar Singh had fired from his pistol hitting the waist of the sister-in-law of the informant leading to her sustaining fire arm injury.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 30.05.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in five other cases but he is on bail in all the said cases. The learned counsel for the petitioner has also submitted that similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this Court vide orders dated 05.09.2022 and 24.11.2022 passed in Criminal Miscellaneous No. 29686 of 2022 and Criminal Miscellaneous No. 44909 of 2022. Lastly, it is submitted that as far as the petitioner is concerned, he has not been alleged to have engaged in any sort of overt act, hence he is not having any complicity in the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by Co-ordinate Benches of this Court, apart from the fact that the petitioner has not been alleged to have engaged in any sort of overt act, though I deem it fit and appropriate to admit the petitioner to the privilege of bail, however, subject to certain conditions, considering the bad antecedent of the petitioner herein.

Accordingly, the petitioner, above named, is directed to 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, Begusarai in connection with Nayagaon P.S. Case No. 16 of 2022.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting



from the day he is released from custody and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

**(Mohit Kumar Shah, J)**

S.Sb/-

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