

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47051 of 2023

Arising Out of PS. Case No.-593 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Monu Singh @ Shubham Kumar Singh, Son of Late Muni Lal Singh,
Resident of village - Kala Khurd, P.S. - Jagdishpur, Distt. - Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Jagdishpur P.S. Case No.593 of 2022 registered for the
offences punishable under Sections 147, 148, 149, 323, 307 and
504 of the Indian Penal Code and later on, section 302 of the
Indian Penal Code was added in the FIR.

3. The accused/petitioner is named in the FIR and is
in custody since 16.05.2023.

4. Allegation against the petitioner is to murder the
son of informant along with 10 named co-accused persons by
assaulting with *lathi*, *danda*, stones, brick plates, etc., where
occurrence arises out of an outraging issue.

5. It is submitted by learned counsel that informant is



not the eye-witness of the occurrence and entire implication is based upon hearsay input, as he received from some unknown persons. It is submitted that allegation *qua* physical assault is appearing very much general and omnibus against this petitioner, who is a man of clean antecedent and by taking note of said fact, similarly situated co-accused, namely, Akash Singh has already granted bail by one of the learned co-ordinate Bench of this Court though Cr. Misc. No.21435 of 2023 vide order dated 13.07.2023. While concluding argument, it is submitted that investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as informant not appearing eye-witness of the occurrence, where implication appears on the basis of hearsay input, having general and omnibus allegation, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 16.05.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No.593 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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