

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51037 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- BIRUPUR District- Lakhisarai

Niranjan Prasad Singh Son Of Shiva Nandan Prasad Singh Resident Of House
No.1447, Radha Swami Colony, Refinery Township Road, P.S. - Dadlana
(25), District - Panipat, Haryana

... .. Petitioner/s

Versus

The State of Bihar , Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kalyan, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Birupur P.S. Case No.
17 of 2023 dated 31.03.2023 registered for the offences
punishable under Sections 147, 148, 149, 302, 307, 326 and
120B of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have surrounded the
informant and his family members and started firing on them



indiscriminately. In the meantime, the co-accused Prince, Amit and Manish started firing due to that one Shravan Kumar died on the spot whereas the informant, his cousin brother Anshu and Anand Mohan sustained firearm injuries.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Prince Kumar. There is no specific allegation against the petitioner. The petitioner has 10 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 13.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Birupur, Lakhisarai in connection with Birupur P.S. Case No. 17 of 2023, with the following condition:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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