

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49953 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- DERNI BAZAR District- Saran

NAWAL KUMAR SINGH @ NAWAL KISHOR SHARMA SON OF LATE
RAMESHWAR SHARMA R/O-BISHAMVERPUR, P.S.-DERANI, DISTT.-
SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is an accused in connection with Derani P.S. Case No. 90 of 2023 registered for the offences under sections 341, 323, 324, 379, 307, 504, 506 and 34 of the Indian Penal Code lodged on 29.05.2023 by the informant, Ashok Kumar Singh.

As per the prosecution story, the informant's wife and daughter had gone to the field to work, when they were attacked by the accused persons and allegation against this petitioner as also his wife is/are of order giver. Subsequently, allegation of snatching of chain and amount are also there.

Learned Counsel for the petitioner submits that so far as this petitioner is concerned, only allegation is of order giver



and he has suffered by being in custody since 30.05.2023 (as stated in paragraph 8 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he is the master mind having given the order.

Considering the fact that the role of attack has been attributed to other persons, the petitioner is an order giver and is in custody since 30.05.2023, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned J.M. 1st Class, Saran at Chapra in connection with Derani P.S. Case No. 90 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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