

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57034 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- GARDANIBAG District- Patna

Kishore Singh @ Govind Singh, S/o Sri Samsher Singh, R/o Yarpur,
Rajputana, P.S.- Gardanibagh, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sahil Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Gardanibagh P.S. Case No. 293 of 2022 registered for the offenses punishable under Sections 323, 341, 379, 504, 506, 34 of the Indian Penal Code. As per the supplementary affidavit filed on behalf of the petitioner, he has six criminal antecedents.

3. As per the prosecution story, on 25.05.2022 at about 05:30 P.M. the informant had gone to attend a marriage ceremony where one Jeetendra Kumar Singh threatened him to kill him and after the informant protested, he started assaulting him and also called one Govind Singh @ Kishore Singh (this petitioner) who snatched his gold chain.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is further



submitted that there is case and counter-case between the parties and the main accused Jeetendra Kumar Singh who allegedly started beating the informant has been granted privilege of anticipatory bail by learned Additional Sessions Judge-XXIV, Patna in ABP No. 5145 of 2022.

5. Learned counsel submits that the case of the petitioner stands on similar footing as that of the main accused Jeetendra Kumar Singh.

6. Learned APP for the State has though opposed the prayer for bail of the petitioner but it is not denied that the main accused has been granted privilege of anticipatory bail by learned court below itself.

7. Having regard to the facts and circumstances of the case wherein this Court has noticed the submission of learned counsel for the petitioner that there is a case and counter-case between the parties, the scuffle took place between the informant and the co-accused Jeetendra Kumar Singh who allegedly started beating the informant and later on called this petitioner, it is alleged that this petitioner had also indulged in beating the informant and snatched away his gold chain, however, the submission being that co-accused Jeetendra Kumar Singh has already been granted privilege of anticipatory bail by learned Additional Sessions Judge-XXIV, Patna in ABP No. 5145 of 2022 and the case of the petitioner stands if not on a better footing then on similar footing with the co-accused



Jeetendra Kumar Singh, as also on noticing that as per the supplementary affidavit, the petitioner is on bail in all six criminal cases, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Gardanibagh P.S. Case No. 293 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, XIV, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. 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.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--

