

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62424 of 2023**

Arising Out of PS. Case No.-95 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

Lalit Vijay Singh @ Karey Singh Son Of Late Achaldeo Singh Resident Of
Village- Rahua, Ps- Sahebpur Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.08.2022 in connection with Sahebpur Kamal P.S. Case No. 95 of 2021, F.I.R. dated 24.04.2021 for the offences punishable under Sections 147, 148, 149, 342, 307 of the I.P.C. and Section 25(1-B)a, 26/35 of the Arms Act and later on Section 302 of the IPC has been added.

3. As per the prosecution story, this petitioner along with other ten F.I.R named accused persons assaulted the younger son of the informant by means of iron rod, lathi and



bricks, as a result of which, he sustained multiple injuries and died during course of treatment. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Further submits that from perusal of the FIR, it appears that there is no accusation of any assault or overt act is attributed against the petitioner, rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that similarly situated, co-accused, namely, Raushan Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 20.01.2022 passed in Cr. Misc. No. 51072 of 2021 and Shayam Singh @ Shayamdeo Singh @ Ranjit Singh has been granted bail vide order dated 07.12.2021 passed in Cr. Misc. No. 55562 of 2021. Further submits that number of other co-accused persons have been granted privilege of anticipatory bail by different coordinate benches of this Hon'ble Court. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.08.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than



the present one, but fairly submits on the basis of paragraph-3 of the petition that in three the cases petitioner is on bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned A.C.J.M., IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 95 of 2021 , subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

Prakash Narayan

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

