

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54731 of 2022

Arising Out of PS. Case No.-348 Year-2022 Thana- KOILWAR District- Bhojpur

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Raushan Kumar Singh @ Virbhadra Singh @ Rashun Kumar Son Of Manoj Singh @ Manoj Kumar Singh Resident of Village- Gidha, P.S.-Koilwar (Gidha O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 307, 341, 323, 324, 504, 506 and 34 of the Indian Penal Code.

According to prosecution case, all the accused persons including the petitioner equipped with rod , sword, etc assaulted the informant and his family members due to previous long-standing family partition disputes, having intention to cause their death.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that due to previous land dispute, the present occurrence has took place. He further submits that there is case and counter case between the parties and both has sustained injuries and they are agnate. He further submits that there was no intention to kill the brother of the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused persons, namely, Manoj Singh @ Manoj Kumar Singh and Mausham Kumar Singh @ Digvijay Singh have been granted bail by a co-ordinate Bench of this Court vide order dated 22.11.2022 passed in Cr. Misc. No. 41886 of 2022. The petitioner is in custody since 01.06.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

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 Court



below where the case is pending in connection with Koilwar
P.S. Case No. 348 of 2022, subject to the following conditions:-

1. 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.

2. 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.

3. 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)

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