

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57067 of 2023

Arising Out of PS. Case No.-281 Year-2023 Thana- AMARPUR District- Banka

CHANDRA SHEKHAR SINGH S/o- BHARAT BHUSHAN SINGH Village-
Bhakchapper Ps- Shahkund Dist- Bhagalpur Petitioner/s
Versus
The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rounak Kumar Singh (Pankaj), Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP
For the informant : Ms. Shweta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Amarpur P.S. Case No. 281 of 2023 for the offence punishable under Sections 302, 120B of the Indian Penal Code and 27 of the Arms ACt lodged on 23.4.2023 by the informant, Md. Halumuddin.

As per the prosecution story, the allegation is that Ankit Kumar took his son away on a motorcycle. Later, Chandra Shekhar Singh and Sanjay Sao also went. Some time later, information came that they have killed his son. Accordingly, the FIR.

The case of the petitioner is that there is no eye-witness to the occurrence and it only a case of last seen. He had no occasion to kill the informant's son and no motive has been assigned.

So far as this petitioner is concerned, though the



informant has alleged that Wakil Sao, Mithun Yadav, Bambam Dubey, Rayees Pathak and Mithun Pathak used to threaten, it has been alleged that he had entered into an agreement to sale the land, there has been dispute with Bambam Dubey.

Further submission is that the petitioner is in custody since 6.5.2023 (para-4 of the petition).

Learned counsel for the informant submits that he had taken the informant's son and there was strong reason to believe that the accused Bambam Dubey had issue with informant's side due to an agreement to sale the land which led to the killing.

Taking into account the submissions put forward by the parties as also that it is the case of last seen, the petitioner do not have criminal antecedent nor he has any motive and is in custody 6.5.2023, charge-sheet stands submitted and will be facing the trail, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Banka, in connection with Amarapur P.S. Case No. 281 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 his 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

