

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58681 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- PASRAHA District- Khagaria

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Pramod Singh S/O Devi Singh R/O Village- Piparpanti, P.S- Pasraha, Distt.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Pasraha P.S. Case No. 66 of 2023, lodged on 31.03.2023 under Sections 302/120B/307/34 of the Indian Penal Code and Section 27(3) of the Arms Act.

3. As per the prosecution, FIR has been lodged against eight named accused persons that they all surrounded the informant and his son and started indiscriminate firing due to which the son of the informant caused four injuries and died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He



submits that the antecedent of the petitioner is clean. He is in custody since 02.04.2023. Counsel submits that there is general and omnibus allegation against all petitioners except Kampani Singh and Bablu Singh and specific allegation against co-accused Deepak @ Dipan Singh that he fired from his pistol. Counsel submits that at worst, the allegation against the present petitioner is that he is member of the mob. Counsel submits that charge sheet has been filed in this case and the other similarly situated co-accused Chandan Kumar and order giver Kampani Singh have been granted bail by the co-ordinate Benches of this Court vide orders dated 03.10.2023 and 14.09.2023 passed in Cr.Misc. No.55528 of 2023 and Cr. Misc. No.58583 of 2023 respectively.

5. Learned counsel for the State opposes the prayer for bail and submits that the present case is relating to Section 302 and four empty cartridges has been recovered which is apparent from the seizure-list.

6. Upon the specific query of the Court that whether charge has been framed in this case or not. Counsel for the petitioner submits that he is not confirmed that charge has been framed or not.

7. In this view of the matter, let the petitioner, above



named, be released on bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Md. Sharique Haider, learned Judicial Magistrate, Khagaria, in connection with Pasraha P.S. Case No. 66 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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