

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58459 of 2023

Arising Out of PS. Case No.-129 Year-2021 Thana- SHAMBHUGANJ District- Banka

DEBANAND SINGH @ DEB RAJ SINGH @ DEWA SINGH S/O WAKIL
SINGH R/O VILLAGE DHARMPUR, P.S. - SHAMBHUGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2023

Heard the parties.

2. The petitioner is in custody in connection with Shambhuganj P.S. Case No. 129 of 2021 for the offence under sections 341, 323, 307, 354(B), 504, 506/34 of the Indian Penal Code and section 27 of Arms Act lodged on 09.06.2021 by the informant, Subhadra Devi.

3. As per the prosecution story, the allegation is that when the informant was in her house with family members, the accused persons including this petitioner and Ravi Singh came and allegation is that this petitioner opened fire causing injury to her daughter-in-law (Pinki Devi) while Ravi Singh caused injury to the grand-daughter (Anju Kumari). The reason was dispute over cutting of the electric wires. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



allegation against him is of injuring Pinki Kumari which has been found to be simple in nature as per the medical report which has been annexed with the petition.

5. The further submission is that Ravi Singh who has injured the grand-daughter (Anju Kumari) has since been granted bail by a co-ordinate Bench vide Cr. Misc. No. 1179 of 2022 (Annexure-3 to the petition).

6. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

7. Learned APP opposes the prayer for bail stating that the allegation against him is of opening fire.

8. Taking into account the submissions put forward by the learned counsel for the petitioner, the injury has been found to be simple in nature, is in custody since 23.02.2023 (as stated in paragraph 4 of the petition) and similar situation Ravi Singh has since been granted bail, as stated above, this Court is inclined to



extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Banka/Successor Court, Banka in connection with Shambhuganj P.S. Case No. 129 of 2021 subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 fortnight for six months 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.

10. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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