

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56038 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- BARUN District- Aurangabad

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Guddu Singh @ Amit Singh @ Amit Kumar, aged about 32 years, Gender- Male, S/O Late Janeshwar Singh Resident of Village- Padaria, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Dashrath Mehta, APP
For the informant : Mr. Mithilesh Kr. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-01-2023 Heard learned senior counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor (*for brevity APP*) appearing for the State of Bihar

The petitioner seeks bail in connection with Barun PS Case No. 28 of 2022, registered for the offence punishable under Sections 323, 324, 307, 504, and 506/34 of the Indian Penal Code (*for brevity 'IPC'*) and Section 27 of the Arms Act.

There is an allegation of assault. Petitioner has allegedly fired upon the thigh of the informant.

Learned senior counsel appearing on behalf of the petitioner submits that the informant and petitioner both were candidates for becoming Ward Secretary. The occurrence is based on some dispute arising in course of political rivalry and the petitioner is in custody since 22/08/2022. The parties have submitted a joint compromise petition, copy of which is enclosed as Annexure-4 to the bail petition. Co-accused, namely, Ajit Singh @ Ajit Kumar Singh has been allowed anticipatory bail in Criminal Miscellaneous No. 21177 of 2020.



The learned counsels for the informant and learned APP for the State have opposed the prayer for bail. They have not disputed the factum of joint compromise petition having been filed.

Considering the rival submissions and nature of accusation and the admitted filing of the joint compromise petition as also the period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 CJM, Aurangabad, in connection with Barun PS Case No. 28 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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