

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58926 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- HATHIDAH District- Patna

Harsh Singh @ Harsh Kumar Son of Vijay Singh, R/o Village- Gurudeo Tola
Mokama, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, A.P.P.
For the Informant	:	Mr. Madhumay Madhup, Advocate
		Mr. Nishikant, Advocate
		Mr. Ranjit Kumar, Advocate
		Mr. Anand Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307, 506, 120(B)
of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, as per written report of
the informant namely, Sudhir Kumar is that he is employee of
Indian Pipe Line, which camp is situated at Hathidah. On dated
09.08.2022, he was present at his Camp in the meantime, two
unknown persons arrived by a motorcycle and started
indiscriminate firing and one pellet hit in his leg. Genesis of
occurrence is that Harsh Singh, Nishant Singh and Vijay Singh



removed by the company from the work because the company was to satisfied from their work. These accused persons threatened and expressed their grievance that for causing of loss in the business. He has believe that Harsh Singh, Nishant Singh and Vijay Singh have committed this occurrence by gangland contract killer.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the petitioner was not present at the place of occurrence and only on the basis of suspicion and conspiracy the name of the petitioner has falsely implicated in the present case. He further submits that during investigation no other cogent material has come against the petitioner and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.08.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner.

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 Hathidah P.S. Case No. 63 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)

mdrashid/-

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

