

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68468 of 2022

Arising Out of PS. Case No.-228 Year-2021 Thana- PIPRAHI District- Sheohar

ANIL KUMAR SINGH @ ANIL SINGH Son of Late Jai Narayan Singh R/V-
Mohari, P.S- Tariyani, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 24-04-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with S.Tr. No. 37/2022 arising out of Piprahi P.S. Case No. 228 of 2021 dated 13.11.2021 registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code and Section 27 of Arms Act.
4. The main submissions advanced by petitioner's counsel are that the petitioner is not named in the FIR and his name surfaced in the statement of co-accused Prince Kumar



Singh, who also revealed the name of another co-accused Vikram Singh @ Vikram Kumar Singh, who has been granted bail by a co-ordinate Bench of this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 36800/2022 and as per the FIR the deceased, when he was in the injured condition, revealed the names of two co-accused persons namely Anish Jha and Shubham being involved in the alleged occurrence of firing but the name of this petitioner did not find place in his statement. Further submissions are that during investigation, not even a single independent witness revealed the role of this petitioner in the alleged crime and the petitioner has been languishing in jail since 21.12.2021.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly the petitioner's custody period and also the privilege of bail granted to similarly situated co-accused person named above, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with S.Tr. No. 37/2022 arising out of Piprahi P.S.



Case No. 228 of 2021, on 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 below and shall remain physically present as directed by the Court below 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) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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