

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60266 of 2022

Arising Out of PS. Case No.-279 Year-2021 Thana- SIKANDRA District- Jamui

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Nirmal Kumar Singh @ Nirmal Singh Son of Gauri Shankar Singh R/V-
Basaiya, P.S- Sikandra, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sikandra P.S. Case No. 279 of 2021 lodged under Sections 147,
148, 149, 341, 323, 324, 325, 302, 379, 504, 506 of the I.P.C.
read with Section 27 of the Arms Act.

As per the prosecution case, the present F.I.R. has
been lodged against 23 named accused persons including the
present petitioner. The specific allegation to assault is not upon
the present petitioner rather it is against the other accused
persons.

Learned counsel for the petitioner submits that the

petitioner is in custody since 30.05.2022 and there is one criminal case pending against him. Counsel further submits that the other co-accused persons to whom bail have been granted by the Co-ordinate Bench of this Court are as follows:

(i). Kailash Yadav, Cr. Misc. No. 50232 of 2022 vide order dated 28.09.2022.

(ii). Santosh Yadav, Cr. Misc. No. 49995 of 2022 vide order dated 28.09.2022.

(iii). Anil Yadav, Cr. Misc. No. 24144 of 2022 vide order dated 28.09.2022.

(iv). Ajit Kumar Yadav, Cr. Misc. No. 14025 of 2022 vide order dated 12.10.2022.

(v). Vikram Kumar Singh, Cr. Misc. No. 22254 of 2022 vide order dated 12.10.2022.

(vi). Pankaj Kumar & Rajpal Yadav, Cr. Misc. No. 22054 of 2022 vide order dated 12.10.2022.

Learned counsel for the State opposes the prayer for bail and submits that there is no specific allegation against the present petitioner. He was the member of mob only.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in

connection with Sikandra P.S. Case No. 279 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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