

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48833 of 2022**

Arising Out of PS. Case No.-307 Year-2016 Thana- BEGUSARAI TOWN District- Begusarai

SHALO SINGH @ SHAILENDRA KUMAR S/o Dashrath Singh R/o
village- Naya Tola Bajidpur @ Bajitpur, P.S.- Mufasil (Lakho O.P.), District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64828 of 2022

Arising Out of PS. Case No.-307 Year-2016 Thana- BEGUSARAI TOWN District- Begusarai

PINTU KUMAR @ PINTU SINGH S/O Mr. Radha Krishna Prasad Singh
R/O Vilage Kothia, P.S- Mufassil (Lakho O.P), District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48833 of 2022)

For the Petitioner/s : Mr. Parmod Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

(In CRIMINAL MISCELLANEOUS No. 64828 of 2022)

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 15-02-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 120(B) and 34 of the Indian Penal
Code.

The brother, sister-in-law and his nephew are said to
have been killed by the petitioners and others.

Learned counsel appearing for the petitioners submits
that the petitioners, who are of clean antecedent, are innocent
and have falsely been implicated in this case. He further submits



that the petitioners are not named in the F.I.R. rather their names surfaced in this case on the basis of suspicion only. Except suspicion, no cogent material has come against the petitioners during course of investigation. He further submits that except the C.D.R. with respect to the petitioner, Pintu Kumar that he has talked with the co-accused, namely, Raju Jha, no other significant material has come against him. He further submits that similarly situated five accused persons, namely, Gopal Mandal, Bidhan Chandra @ Bidhan Chand, Pappu Singh @ Akhilesh Kumar, Raju Jha have been granted bail by different co-ordinate Benches of this Court vide Cr. Misc. No. 45629 of 2016, Cr. Misc. No. 42236 of 2016, Cr. Misc. No. 50943 of 2016, Cr. Misc. No. 9481 of 2016, respectively and Rajnish Kumar @ Rajnish Jha has also been granted bail by this Court vide Cr. Misc. No. 60501 of 2021. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioner, Shalo Singh @ Shailendra Kumar is languishing in custody since 18.05.2022 and the petitioner, Pintu Kumar @ Pintu Singh is rotting in judicial custody since 22.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Begusarai Town P.S. Case No. 307 of 2016 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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