

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68403 of 2023

Arising Out of PS. Case No.-160 Year-2023 Thana- TEKARI District- Gaya

HARE KRISHNA SINGH @ HARE KRISHNA KUMAR Son of Narayan
Singh @ Narayan Sharma R/o vill - Tapa, P.S. - Tekari, Distt. - Gaya
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Tekari P.S. Case No. 160 of 2023 for the offence registered under Sections 302, 147, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act lodged on 09.03.2023 by the informant, Mithesh Prasad Singh.

3. As per the prosecution story, the allegation is that on the day of Holi festival, the informant's daughter was watching programme when the petitioner and other two accused persons came in drunken stage, started assaulting and further one Babloo Singh opened fire which hit the informant's daughter, who subsequently succumbed to the injuries. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



entire allegation is against Babloo Singh, who opened fire which proved fatal and the innocent daughter of the informant died. So far as this petitioner is concerned, nothing specific has come against him and he do not have criminal antecedent.

5. Learned APP for the State opposes the prayer for bail stating that the accused persons in a drunken stage assaulted and subsequently, an innocent girl lost her life.

6. Considering the fact that though allegation is grave, the same is attributed to one Babloo Singh, who opened fire which hit the daughter of the informant. So far as this petitioner is concerned, nothing specific has come against him and do not have criminal antecedent, this court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., VI, Gaya in connection with Tekari P.S. Case No. 160 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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