

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66073 of 2022

Arising Out of PS. Case No.-262 Year-2019 Thana- MANSI District- Khagaria

BIJENDRA SINGH S/O Late Ramrati Singh R/O Village- Dhanchhar, Ward
No-2, P.S- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mansi
P.S. Case No. 262 of 2019 dated 27.11.2019 registered for the
offence under Sections 147, 148, 149, 341, 323, 307, 504 and
506 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner along with others are alleged to
have opened fire as a result of which Pancha Singh sustained
bullet injury on his left hand and left leg.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case due to admitted land dispute. He
further submits that there is case and counter case between



the parties. He further submits that the allegation as alleged in the F.I.R. is against the co-accused, Shambhu Singh who opened fire upon the victim. He further submits that the injury report of the injured suggest that the injury inflicted to the injured is on non-vital part of the body and the doctor has kept the nature of injury reserved. He further submits that there was no motive to kill the victim. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 09.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, ***after framing of charge***, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 262 of 2019 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

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