

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67437 of 2022

Arising Out of PS. Case No.-254 Year-2021 Thana- MAHARAJGANJ District- Siwan

Bajrang Singh @ Vivek Kumar Singh, S/o Gopal Singh, R/O Village-
Dhanauta, P.S.-Duraundha, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor for the
State.

The petitioner seeks bail in connection with
Maharjganj P.S. Case No.254 of 2021 registered for the offences
punishable under Sections 302 and 120B of the Indian Penal
Code.

The petitioner/accused is named in the first
information report and is in custody since 27.09.2022.

The allegation against the petitioner is to commit
murder of son of the informant along with other co-accused
persons due to previous enmity arises out of dispute related with
snatching of mobile from one of the co-accused Bajrang Singh.

It is submitted by learned counsel for the petitioner
that the maximum allegation what appears against the petitioner



is of last seen and on the basis of said suspicion, petitioner named in present occurrence, where nothing surfaced during the course of investigation to connect petitioner, prima facie, with present occurrence. It is submitted that informant is not the eye-witness of the alleged occurrence, where implication is based upon suspicion. It is submitted that similarly situated co-accused, namely, Ashok Kumar Mahto and Dhamma Gond @ Dhannu Kumar Sah have already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 22.08.2022 passed in Cr. Misc. No.10286 of 2022 and Cr. Misc. No.13450 of 2022. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which the charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of the above-mentioned facts and circumstances, as save and except last seen, no incriminating material surfaced during the course of investigation to connect the petitioner with the present occurrence of murder, coupled



with the fact that charge-sheet has already been submitted, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Siwan in connection with Maharjganj P.S. Case No.254 of 2021, subject to the conditions as mentioned under Section 437(3) of the Code of Criminal Procedure.

(Chandra Shekhar Jha, J.)

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