

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71851 of 2022

Arising Out of PS. Case No.-50 Year-2003 Thana- NARDIGANJ District- Nawada

Uday Singh S/O Late Lalo Singh Resident of Village- Parma, P.S.- Nardiganj,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 05.06.2022, in connection with Nardiganj P.S. Case No. 50 of 2003, F.I.R. dated 20.06.2003 registered for the offences punishable under Sections 302, 201, 328/34 of the Indian Penal Code but the police after investigation submitted chargesheet against the petitioner under Sections 306, 201/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with co-accused persons caused murder to Chanchala Devi and her son and daughter by way of administering poisonous substance.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and there is no specific allegation of any assault or overt act and the petitioner is brother-in-law of the deceased. He further submits that co-accused namely Vijay Singh who is also brother-in-law of the deceased has been granted bail by a Coordinate Bench of this Court vide order dated 14.07.2009 passed in Cr. Misc. No. 15041 of 2009, another co-accused person namely Sanjay Singh has been granted bail by a Coordinate Bench of this Court vide order dated 22.11.2006 passed in Cr. Misc. No. 42360 of 2006 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 05.06.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned Judicial Magistrate 1st Class, Nawada in connection with Nardiganj P.S. Case No. 50 of 2003, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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 antecedents, 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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