

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15866 of 2024

Arising Out of PS. Case No.-330 Year-2022 Thana- KHUSRUPUR District- Patna

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Tula Singh S/o- Late Chandi Singh Mohalla-Lodipur, Mansoorpur, P.S
Khusrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khusrupur P.S. Case No. 330 of 2022, lodged on 27.08.2022
under Sections 302, 34 of the Indian Penal Code read with
section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against 20 named accused persons including the present
petitioner. The allegation against the present petitioner is that he
along with other three accused persons namely Uday Singh,
Rajesh Singh, Ram Pravesh Singh armed with weapons entered
into the house of the informant and damaged the household
articles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the specific allegation is against Ranjan Kumar



and Amol Kumar who fired on the right leg of Tuntun Kumar and the allegation against the Bablu Singh is that he fired on the informant's father due to which he died. Counsel further submits that other co-accused persons whose case is as like that of the petitioner have been granted bail by the Co-ordinate Bench of this Court *vide* orders dated 12.07.2023 and 03.08.2023 passed in Cr. Misc. Nos. 12574 of 2023 and 47291 of 2023 respectively.

5. Learned counsel for the petitioner submits that due to mistake, the criminal antecedent of the petitioner is stated as clean in para no.3 of the bail application, but a supplementary affidavit has been filed by him which states that there is one criminal case pending against the petitioner in which he is on bail. The petitioner is in custody since 27.07.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class,



Patna City, Patna in connection with Khusrupur P.S. Case No. 330 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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.

(Dr. Anshuman, J.)

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