

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27716 of 2024

Arising Out of PS. Case No.-594 Year-2023 Thana- SONEPUR District- Saran

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Ankit Kumar Singh S/o Manoj Singh @ Manoj Kumar Singh R/o Village
Nawdihan, P.O. - Rahimapur, P.S. Sonepur, District Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranoy Kumar
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonepur P.S. Case No. 594 of 2023 lodged on 10.07.2023 under
Section 341, 323, 324, 307, 354, 504, 506, 302 and 34 of the
Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons including the present
petitioner against whom there is an allegation that they have
assaulted the informant and his son with iron rod due to which
son of the informant died during the course of treatment.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that there are five named accused persons in which



four are of same family and the petitioner is the stranger but the informant, petitioner and the other accused persons are the residents of the of same locality and they are well known to each other and none of them are criminals. Counsel submits that his name has unnecessarily been submitted in this case as in the F.I.R. itself, it has been stated that dispute with the informant was going on with the other accused persons and not with the petitioner. Counsel further submits that the criminal antecedent of the petitioner is clean. The petitioner is in custody since 18.01.2024. He further submits that the accused persons whose case is on better footing then other accused persons to whom this Court has pleased to grant bail vide order dated 22.02.2024 passed in Cr. Misc. No. 11294 of 2024 and vide order dated 12.03.2024 passed in Cr. Misc. No. 15377 of 2024.

5. Learned APP for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that Section 34 of the I.P.C. has been added and the entire action has been taken place in furtherance of the common intention. He further submits that it is the case in which Section 302 of the I.P.C. has been attracted



6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail *after framing of charge, if the charge is not* framed yet and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Learned CJM, Saran at Chapra in connection with Sonapur P.S. Case No. 594 of 2023 subject to the condition laid down under Section 437(3) of the 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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