

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31356 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Rajeev Singh Son of Late Uday Narayan Singh R/O Vill.- Patla, P.S.- Mahesh
Khunt, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vivekanand Singh, Adv.
For the informant	:	Mr. Rahul Singh, Adv.
		Mr. Amar kumar Singh, Adv.
For the Opposite Party/s :		Mr.Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahesh Khunt P.S. Case No. 212 of 2023 dated 16.10.2023 registered for the offences punishable u/ss 302, 286, 504 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 15.10.2023 at 7.30 P.M., the informant and his father Mithlesh Singh were feeding cattles at their basa. At some distance, the informant's father was sitting on the cot, in the meantime, the accused persons surrounded the informant's father and abused him. On the order



of the co-accused, Gopal Singh and his wife Mamta Devi, the petitioner and the co-accused persons holding country made pistol are alleged to have opened fire indiscriminately on the informant's father due to which he sustained firearm injury and fell down there. It is further alleged that the co-accused, Gopal Singh fired which hit on the chest of the informant's father. Other accused persons opened fire indiscriminately to kill the informant's father which hit on his body. On the sound of firing, several villagers assembled there then the accused persons fled away after firing. Thereafter, the injured was taken to the hospital where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant and the accused persons including the petitioner are agnates and co-villagers. The specific allegation of firing on the informant's father is against the co-accused, Gopal Singh rather the allegation against the petitioner is general and omnibus. Nothing has been recovered from the possession of the petitioner. The co-accused person has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 09.09.2024 passed in Cr. Misc. No. 38046 of 2024.



The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.10.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Mahesh Khunt P.S. Case No. 212 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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