

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35600 of 2024

Arising Out of PS. Case No.-102 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Ram Kumar Singh @ Aako Singh Son of Sri Tuna Singh Resident of Village-
Pahsara, P.S- Nawkothi, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ansul, Advocate
	:	Ms.Divya Bharti, Advocate
	:	Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s :	:	Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2024 Heard Mr.Ansul, learned counsel for the petitioner
and Mr.Lalan Kumar, learned Additional Public Prosecutor for
the State.

2. The petitioner seeks bail, who is in custody since
25.04.2022, in connection with S.Tr.No.253 of 2023 arising out
of Nowkothi P.S.Case No.102 of 2021, FIR dated 23.07.2021
registered for the offences punishable under Sections
302,120(B)/34 of IPC and Section 27 of Arms Act.

3. Earlier the prayer for bail of the petitioner was
refused vide order dated 03.04.2023 passed in Cr.Misc.
No.41706 of 2022.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.



Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of firing attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner that they fired upon the victim. Further submits that the co-accuse person, namely, Saurav Kumar has been granted bail by this Court vide order dated 18.07.2024 passed in Cr.Misc. No.30704 of 2024.

5. Vide order dated 26.04.2024 a report was called for with regard to the present status of the trial in Cr.Misc. No.30704 of 2024. Report of the learned Trial Court dated 18.05.2024 reveals that the charge has been framed against eight persons including the petitioner on 16.04.2024 but till date prosecution has not examined any witness.

6. Learned counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner and other co-accused persons that they are with common intention fired upon the victim and apart from the aforesaid, petitioner carries nine more cases other than the present one but fairly submits that he is on bail in all the cases, as mentioned in para-2 of the supplementary affidavit.

7. Learned counsel for the petitioner submits that in



view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 25.04.2022.

8. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Begusarai in connection with S.Tr.No.253 of 2023 arising out of Nowkothi P.S.Case No.102 of 2021, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 antecedent, 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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