

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44280 of 2024

Arising Out of PS. Case No.-285 Year-2022 Thana- SISWAN District- Siwan

Bholu Singh @ Bholu Rajput @ Ashutosh Singh Son of Dhruv Singh
Resident of village - Nawada, P.S.- Siswan (Chainpur O.P.), District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-07-2024 Heard Mrs. Vaishnavi Singh, learned counsel for the

petitioner and the State.

2. The petitioner is in judicial custody in connection with Siswan Chainpur (OP) P.S. Case No. 285 of 2022 registered for the offences under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act lodged on 14.11.2022 by the informant, Jai Narayan Singh.

3. As per the prosecution story, the informant got knowledge about injuries sustained by his son and when he reached the hospital, found him dead. He suspected some unknown persons killed him. Accordingly, the FIR.

4. During investigation, the police picked up Vikash Kumar Singh and as per the learned Sessions Judge order, he made confession to his guilt.

5. Learned counsel for the petitioner submits that Vikash Kumar Singh who confessed about the crime and



dragged the petitioner as the person who offered money for the killing has since been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 52311 of 2023. It is her further submission that the petitioner do not have criminal antecedent and is ready to abide by the terms and conditions and will be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that Vikash Kumar Singh named him as the person who offered money for the crime.

7. The name of the petitioner has come in the confessional statement of Vikash Kumar Singh who has since been granted bail, as stated above, the petitioner has no criminal antecedent and will be diligently appearing in trial as per the undertaking given by the learned counsel for the petitioner, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Additional Chief Judicial Magistrate-IV, Siwan, in connection with Siswan Chainpur (OP) P.S. Case No. 285 of 2022 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of trial to mark his attendance;

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

(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 his bail bonds.

(Rajiv Roy, J)

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