

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46961 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Pipul Singh @ Nihal Singh Son Of Bihari Singh Resident of Village-
Ghaghar, P.S-Krishnagarh Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Shashank Chandra, learned counsel for the
petitioner and Mr. Madhura Nand Jha, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
13.02.2024, in connection with Ara Mufassil P.S. Case No. 40 of
2024, F.I.R. dated 05.02.2024 registered for the offences
punishable under Sections 302 read with Section 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The F.I.R. of the occurrence of murder is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired
during investigation on the basis of video recording of the alleged



occurrence which was recovered from the mobile phone of the deceased. He further submits that during investigation co-accused person namely Sanjit Ray @ Prince @ Sadhu, who has confessed his guilt and he has categorically stated that he has fired upon the victim and he also stated that the petitioner was accompanied with him. He further submits that co-accused Vishal Singh was the conspirator who has been granted bail by the learned Court below itself. Thereafter, the petitioner has also confessed his guilt in the present occurrence and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.02.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is involved in the present crime in question and the name of the petitioner has been transpired on the basis of video clip of the present occurrence and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



ACJM VII, Bhojpur at Ara in connection with Ara Mufassil P.S. Case No. 40 of 2024, subject to the following conditions :-

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

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

(3) 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 antecedents, 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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