

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59409 of 2024

Arising Out of PS. Case No.-313 Year-2023 Thana- LAURIA District- West Champaran

1. Dipak Singh @ Deepak Singh, aged about 40 years, Gender - Male, son of late Gaya Singh,
2. Ranjit Singh @ Sandip Kumar @ Sandip Singh @ Sandip Kr. Singh, aged about 28 years, Gender- Male, son of Akhilesh Singh
Both residents of village- Sirkahiya P.S.- Lauriya District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate Mr. Satyeshwar Prasad, Advocate Mr. Alexander Ashok, Advocate
For the Informant	:	Mr. Sanjeev Kumar, Advocate Mr. Md. Dilshad Alam, Advocate Mrs. Bharti Rai, Advocate Mr. Sitesh Kashyap, Advocate
For the State	:	Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-12-2024 Heard Mr. D.K. Sinha, learned Senior Counsel along with Mr. Satyeshwar Prasad and Mr. Alexander Ashok, learned counsels appearing on behalf of the petitioners; Mr. Sanjeev Kumar along with Mr. Md. Dilshad Alamd, Mrs. Bharti Rai and Mr. Sitesh Kashyap, learned counsel appearing on behalf of the informant and Mr. Ashok Kumar Singh, learned APP for the State.

2. Petitioners seek regular bail in connection with Lauriya P.S. Case No. 313 of 2023 registered for offences punishable under Sections 341, 323, 324, 307, 302, 504, 147,



148, 149 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons, had committed murder of one Sant Singh, who is the brother of the informant.

4. Learned senior counsel appearing on behalf of the petitioners submitted that petitioners had earlier moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 14087 of 2024, which was dismissed as withdrawn vide order dated 19.04.2024. However, the petitioners had surrendered and now, after nearly five months, they are seeking regular bail on the ground that no specific allegation has been made against these two petitioners, rather, allegation is general and omnibus. Specific allegation has been levelled against co-accused Dilip Singh, Akhilesh Singh and Chandan Kumar. Charge-sheet has already been submitted. Petitioners have clean antecedents and they are in custody since 20.05.2024. On these grounds, petitioners seek to be released on bail.

5. Learned counsel appearing on behalf of the informant and learned A.P.P., for the State have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that no specific allegation has



been made against these two petitioners, rather, the same is general and omnibus. Specific allegation has been levelled against co-accused Dilip Singh, Akhilesh Singh and Chandan Kumar. Charge-sheet has already been submitted. Petitioners are in custody since 20.05.2024. I am of the opinion that petitioner have, *prima facie*, made out a case to be released on pre-arrest bail.

7. Learned District Court is directed to release the petitioners, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ist, West Champaran at Bettiah, in connection with Lauriya P.S. Case No. 313 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioners are found involved in similar



nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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