

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66695 of 2024**

Arising Out of PS. Case No.-469 Year-2022 Thana- AMARPUR District- Banka

Som Kumar Singh @ Somnath Singh Son of Subodh Prasad Singh Resident  
of Village - Athmala, P.S. - Amarpur in the district of Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-09-2024                      Heard Mr. Sunil Kumar, learned counsel for the  
  
petitioner and Mr. Satyendra Narayan Singh, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amarpur P.S. Case No. 469 of 2022, F.I.R. dated 26.08.2022 for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner came at the house of the informant and started abusing him. In the meantime, co-accused Sachin Kumar Singh asked for a pistol from accused Krishnand Singh and fired upon the informant.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from perusal of the F.I.R it appears that there is specific allegation against the co-accused, namely, Sachin Kumar Singh who has fired upon the informant and there is no allegation of any assault or overt act attributed against the petitioner. He further submits that the son and wife of the informant has not stated anything about the petitioner during investigation.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no allegation of any assault or overt act attributed against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No.469 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his 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)**

Vanisha/-

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