

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68394 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- MAIRWAN District- Siwan

Golden Kumar Singh @ Golden Singh Son of Sanjay Singh @ Sanjay Ray
Resident of Village - Bhantapokhar, P.S. - Siwan (M), District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 21-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Mairwa P.S. Case No. 158 of 2024 registered for the offences
punishable under Sections 147, 341, 342, 307, 504 and 506 of
the Indian Penal Code and Section 27 of Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner person with clean antecedent and is in custody since
29-6-2024 and the informant alleges that on account of election
dispute, he had gone for a Panchayati at Jiradei where
Devendra, Sujit and petitioner started abusing him and
threatened that as to why he did not support their candidate in
the election, further after the Panchayati was over, the aforesaid
three accused persons left the Panchayati before the informant
and when the informant proceeded towards his home and



reached near Bangra village when he was intercepted by named accused persons including the petitioner along with 10 unknown accused and thereafter Lucky Tiwari made a video call to Tribhuban Tiwari who gave order to kill the informant on which Lucky Tiwari fired on him causing injury on back side of the head and thereafter Mukesh and Vikash also fired but missed.

4. Learned counsel for the petitioner submits that from perusal of allegation as alleged in the FIR, it would manifest that there is specific allegation of order giver is against Tribhuban Tiwari, and Lucky Tiwari is alleged to have fired causing fire-arm injury, thereafter Mukesh and Vikash also fired but then missed. It is submitted that as far as this petitioner is concerned, no overt act has been alleged against him.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that from perusal of allegation as alleged in the FIR, it would manifest that in the first part it is alleged that this petitioner along with Devendra and Sujit had abused and threatened the informant in the Panchayati and thereafter left the Panchayati before the informant and when he reached near Bangra village, he was intercepted by the named accused persons including the petitioner and thereafter the occurrence is alleged to have taken place. It is next submitted



that petitioner may not have committed any overt act but his presence along with other accused persons emboldened Lucky Tiwari to fire causing fire-arm injury to the informant on his head and thereafter Mukesh and Vikash also fired.

6. At this stage, learned counsel for the petitioner submits that if privilege of regular bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

7. On query of the Court that as to whether charges have been framed against the petitioner or not, on which the learned counsel appearing on behalf of the petitioner fairly submits that till date charges have not been framed.

8. Learned counsel for the petitioner further seeks permission to withdraw the regular bail application with liberty to renew his prayer for bail after framing of charge.

9. Permission is accorded.

10. Accordingly, the present bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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