

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10 of 2024

Arising Out of PS. Case No.-29 Year-2021 Thana- MADHUBAN District- East Champaran

VIKASH KUMAR SINGH Son of Chandra Bhushan Singh Resident of
village - Mogalniya, P.S.- Madhuban, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 16-05-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned counsel appearing on behalf

of the State.
2. The petitioner seeks bail in connection with

Madhuban P.S. Case No. 29 of 2021 arising out of G.R.

Case No. 770 of 2021 registered for the offence under

Sections 147, 148, 149, 341, 323, 324, 307, 302, 504,

506 and 120B of the Indian Penal Code
3. The accused/petitioner is named in the F.I.R.

and is in custody since 23.08.2023.
4. The allegation against the petitioner is to

commit murder of the brother of informant, alongwith



other co-accused persons, due to property dispute, while assaulting with iron rod, lathi, farsa, etc.

5. Learned counsel appearing on behalf of the petitioner submitted that the maximum allegation, what appears against this petitioner, from the face of F.I.R., is to be a part of mob only, whereas specific allegation to give fatal assault is available against co-accused persons, namely, Tinku Kumar Singh and Shyam Kumar Singh. It is further submitted that the co-accused, namely, Shyam Kumar Singh has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 46900 of 2021 vide order dated 18.04.2022. It is pointed out that petitioner is involved in one more criminal case, where he is on bail. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of the facts and circumstances, as mentioned above, as allegation of fatal assault is not available against this petitioner, rather same is available against co-accused persons, namely, Tinku Kumar Singh, and Shyam Kumar Singh coupled with the fact that charge sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhuban P.S. Case No. 29 of 2021 arising out of G.R. Case No. 770 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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