

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77884 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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RAJ BALLAV SINGH @ RAM BALLAV SINGH @ NEERAJ KUMAR S/O
LEBIN SINGH VILLAGE- BINDAWAN, PS. NAWKOTHI, DIST.
BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 76319 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

1. GOPAL KUMAR S/O GANGA SINGH VILLAGE- BINDAWAN, PS.
NAWKOTHI, DIST. BEGUSARAI
2. ABHISHEK KUMAR @ BAKHTAR SINGH S/O SITARAM SINGH
VILLAGE- BINDAWAN, PS. NAWKOTHI, DIST. BEGUSARAI
3. RAMBOL SINGH @ KURRA @ RAMBOL KUMAR SINGH S/O LABIN
SINGH VILLAGE- BINDAWAN, PS. NAWKOTHI, DIST. BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 79191 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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PUMPUM KUMAR @ ABHINEET KUMAR @ ABHINET KUMAR @
ABHINET SON OF BAUKO SINGH @ ABDHESH SINGH @ AWDHESH
SINGH @ AVDHESH SINGH RESIDENT OF VILLAGE -VRINDAVAN
(BINDRABAN), PS- NAWKOTHI, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :



(In CRIMINAL MISCELLANEOUS No. 77884 of 2023)

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

For the Opposite Party/s : Mr.Amitesh Kumar, APP

For the Informant : Mr. Mritunjay Kmar, Adv.

(In CRIMINAL MISCELLANEOUS No. 76319 of 2023)

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

For the Opposite Party/s : Mr.Amitesh Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 79191 of 2023)

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 05-01-2024 1. As all these bail petitions have arisen out of same
P.S. case, hence they are being decided by this common order.

2. Heard the parties.

3. Petitioners seek regular bail in connection with
Nowkothi P.S. Case No. 19/ 2022 dated 08.02.2022 registered
for the offence(s) punishable under Section(s) 337, 338, 307,
302, 120B of the Indian Penal Code and under Section 27 of
Arms Act.

4. This is the second attempt of the petitioners for the
relief of regular bail after their earlier attempt for the said relief
was rejected by this Bench vide order passed in Cr. Misc. No.
46909/ 2022 and other analogous cases preferred by these
petitioners and others.

5. The fresh ground taken by the petitioners are the
long custody period of the petitioners and no progress in their
trial. Learned counsel for the petitioners submits that petitioner
of Cr. Misc. No. 77884 of 2023 is in custody since 30.05.2022,



petitioners of Cr. Misc. No. 76319/ 2023 are in custody since 18.05. 2022 and petitioner of Cr. Misc. No. 79191 of 2023 is in custody since 09.02.2022 and they have got no criminal antecedents and the allegation against them, in the F.I.R., is general and omnibus, the allegation of firing is against other co-accused persons and some of the accused persons, namely, Vibhay Kumar @ Vibhay Singh @ Jaywardhan Kumar and Manoj Singh, carrying similar allegation, have been granted bail by this court. Further submissions are that petitioners have again come before this court in the light of liberty granted to them by this court in the order dated 10.04.2023 passed in Cr. Misc. No. 46909/ 2022 and other analogous cases preferred by the petitioners. Further submission is that no progress has taken place in the trial of the petitioners even charges have not been framed upon them.

6. Learned counsel appearing for the Informant opposes the bail prayer and submits that there is serious allegation against the petitioners and they are not entitled to the privilege of bail.

7. Heard both the sides. Though against the petitioners there is serious allegations but considering their custody period as well as stage of their case, as appears from the status report of



the petitioners' trial sent by the trial court, which goes to show that the case of the petitioners is running for framing of charge though the petitioners have filed a petition under Section 227 of the Cr. P. C. before the trial court for discharging them but during the course of argument, learned counsel for the petitioners is ready for framing of charges upon the petitioners and some co-accused are on bail, this court is now inclined to accept the bail prayer of the petitioners. Accordingly, let the petitioners named-above be released on bail in connection with Nowkothi P.S. Case No. 19 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned on the condition that they shall be released on bail after framing of charge with further conditions that :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move



for cancellation of bail.

(3) One of the bailers shall be close relative of the petitioners who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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