

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76909 of 2023

Arising Out of PS. Case No.-295 Year-2021 Thana- EKMA District- Saran

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RAJESH SINGH @ RAJESH KUMAR SINGH, SON OF SHATRUDHAN
SINGH, R/O OF VILLAGE- RAMPUR KHORRAM, NAGRA, P.S.-
MARHAURA (GAURA O.P.), DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
		Mr. Raj Narayan Mishra, Advocate
For the Opposite Party/s :		Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ekma P.S. Case no. 295 of 2021 registered under sections 302, 307, 147, 148, 149 and 379 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the accused persons came variously armed. Aditya Vinayak, Ankit Kumar and Ashish Kumar Mishra resorted to firing as a result of which different persons sustained injuries. On being taken to the hospital, Gajendra Mishra was declared dead. The informant takes the name of five others in the FIR who



participated in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He was falsely implicated in the case in course of investigation. The only material against him which has come in course of investigation is that he is also said to have participated in the occurrence. The petitioner is in custody since 27.1.2022 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State who submits that material has come against the petitioner in paragraph nos. 77, 78, 79, 101 and 102 of the case diary of having participated in the occurrence and the petitioner has as many as six antecedents against him.

6. Having heard learned counsel for the parties and taking into consideration the detailed narration of the occurrence in the FIR wherein as many as nine persons have been named accused therein, the petitioner not having been named in the FIR and his being in custody for more than 2 years since 27.1.2022, the petitioner is directed to be enlarged on bail in connection with Ekma P.S. Case no. 295 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 the learned Additional Chief



Judicial Magistrate 1st, Saran at Chapra.

(Partha Sarthy, J)

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