

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76063 of 2023

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

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RAM KISHORE SINGH Son of Tirth Narayan Singh R/o vill - ward no. 03,
Vrindavan, Dafarpur, P.S. - Nowkothi, Distt. - Begusarai (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 17236 of 2024

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

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Akhilesh Kumar S/o Manoj Singh R/o vill - Bindawan, P.S. - Nawkothi, Distt.
- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 76063 of 2023)
For the Petitioner/s : Mr.Akash Shankar
For the Opposite Party/s : Mr.Shyameshwar Dayal
(In CRIMINAL MISCELLANEOUS No. 17236 of 2024)
For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 13-03-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners have prayed for regular bail in a

case registered for the offence punishable under sections 337,

338, 307, 302 and 120B of the Indian Penal Code and Section



27 of the Arms Act.

3. earlier, bail application of the petitioners were withdrawn vide order dated 03.08.2023 passed in Cr. Misc. No. 57879 of 2022 and dt. 03.08.2023 passed in Cr. Misc. No. 9613 of 2023 respectively.

3. As per FIR, it is alleged that the petitioners and co-accused persons armed with deadly weapons came at the house of the informant and due to previous enmity started assaulting the informant and his family members. It is further alleged that during the occurrence, the petitioner Ram Kishore Singh fired upon the daughter of the informant and the petitioner Akhilesh Kumar fired upon son and husband of the informant due to which they sustained injuries and during the occurrence co-accused persons also assaulted them. Thereafter, all of the injured persons were brought to the near hospital, where husband of the informant was declared dead, and treatment of the son and daughter of the informant are going on.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to dirty village politics. There is a case and



counter case which is registered in Bibhutipur P.S. Case No. 49 of 2022 under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act. General and omnibus allegation levelled against the petitioners. In this case, charges have already been framed against these petitioners. It is further submitted that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 18.05.2022 and 30.05.2022 respectively.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of Bail and submitted that the petitioners committed murder of the informant's husband and also fired upon her son and daughter due to which they sustained injuries.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Nawakothi P.S. Case No. 19 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-III Court at Begusarai. With following conditions:-



(I) the petitioner shall co-operate in the trial and shall be present on each and every fixed date 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 threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) In case, the petitioner repeats offence of similar nature after enlargement of bail, his bail bonds will be cancelled by the Court below.

8. The learned trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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