

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 80246 of 2023

Arising Out of PS. Case No.-55 Year-2020 Thana- NTPC KHAIRA District- Aurangabad

RISHU SINH @ RAJ KUMAR SINGH @ RISHU KUMAR SON OF
YOGENDRA SINGH RESIDENT OF VILLAGE - SHIBANPUR, P.S. -
N.T.P.C. KHAIRA, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Mukul Kumari, Advocate

For the Opposite Party/s : Mr Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 29-02-2024 Heard learned counsel appearing on behalf of the parties.

2 The petitioner seeks bail in connection with NTPC Khaira PS Case No 55 of 2020, GR No 1689 of 2020 initially registered for the offence punishable under Sections 341, 323, 325, 307, 506/34 of the IPC but later on added with Section 302 of the IPC.

3 From perusal of the First Information Report and case diary, it is apparent that FIR has been registered under Sections 341, 323, 325, 307, 506/34 of the IPC on the basis of Fardbayan of informant Jai Shanker Singh. During treatment, father of informant cum injured died. It further appears from the FIR that against two accused persons also, there is specific



allegation for causing death of deceased, firstly Vishal Singh and secondly the present petitioner. In the post mortem report, cause of death is due to haemorrhage, shock and CR failure because of ante mortem injuries caused by hard and blunt substance.

4 During argument, learned counsel for the petitioner produced copy of the judgment of Sessions Trial No 101 of 2023 dated 19th April, 2023 passed by learned Additional Sessions Judge III Mr Amit Kumar Singh regarding one of the accused Vishal Singh @ Vishal Kumar Singh relating to lodging of present case being NTPC Khaira PS Case No 55 of 2020 in which he has acquitted the accused of the charge under Sections 302/34 of IPC for want of sufficient evidence. The petitioner is in custody since 30.08.2023.

5 Learned APP appearing for the State opposes the prayer for bail of the petitioner.

6 Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner above named be released on bail, after framing of the charge if not framed, on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of ACJM V, Aurangabad in NTPC Khaira PS Case



No 55 of 2020, GR No 1689 of 2020.

(Ramesh Chand Malviya, J)

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