

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86597 of 2023

Arising Out of PS. Case No.-235 Year-2018 Thana- BAHADURPUR District- Patna

Badal Singh Son of Ramakant Singh Resident of village -Malpur, P.S-
Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bahadurpur P.S. case
No. 235/18 instituted for the offences under Sections 147, 148,
149, 325, 326, 307, 302 of the Indian Penal Code and Section
27 of the Arms Act.

3. Prosecution allegation, in short, is that while the
informant was giving training to candidates, the accused
persons, variously armed, surrounded him and fired at the
informant but anyhow he saved himself and went to police
station to inform about the occurrence. When he again reached
at his training place, the accused persons quarrelled with him
and they threatened to kill him and in the meantime two persons



sustained bullet injuries, one of whom died.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.08.2023 and has three criminal antecedents and in two of them, he is on bail. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Aniket Kumar, Anish Kumar and Sahil Raj. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. No recovery of any incriminating article has been made from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bahadurpur P.S. case No. 235/18 subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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