

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12642 of 2025

Arising Out of PS. Case No.-261 Year-2023 Thana- SUPPI District- Sitamarhi

Monu Singh @ Monu Kumar Singh S/O Shankar Singh R/O Basant Khurd,
P.S- Suppi, Distt.- Sitamarhi, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The allegation in the first information report is
that on 12.10.2023, four unknown persons had come on two
Apache motorcycle at the plot of the informant, out of which
one of the person was armed with pistol and upon confirming
that the plot belongs to one Sanjay Nayak, the person
concealing his identity fired one shot but the informant managed
to escape and fled away from the place of occurrence.

4. It is submitted by learned counsel for the
petitioner that the first information report has been lodged



against unknown persons and the name of the petitioner transpired in the present case in the further statement of the informant himself in which he named four persons and also one Awinash Kumar alias Avnish Kumar Singh who has already been granted anticipatory bail by this Court vide order dated 11.04.2025 passed in Cr. Misc. No.79502 of 2024. It appears strange that if the identity of the petitioner was known, there is no reason why the informant did not disclose the same in the first information report. Further, there is no eye witness to the occurrence and no injury whatsoever was caused to anyone in the entire transaction. The petitioner has been languishing in custody since 09.04.2024.

5. Learned APP for the State opposed the bail petition and submitted that besides all the allegations, the petitioner is a history sheeter and he has several criminal antecedents. In response to this, learned counsel for the petitioner submitted that barring one case, the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances of the case as well as the fact that similarly situated co-accused has already been granted anticipatory bail by this Court, the above named petitioner is directed to be



enlarged on bail 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 Court below where the case is pending/successor Court in connection with Suppi P.S. Case No.261 of 2023, subject to the conditions that :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial till the charges are framed and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iii) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Soni Shrivastava, J)

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