

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10005 of 2025

Arising Out of PS. Case No.-313 Year-2023 Thana- LAURIA District- West Champaran

Dilip Singh Son of Late Gaya Singh, Resident of Village- Sirkahiya, P.S.-
Lauriya, Distt.- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.D.K.Sinha, Senior Advocate Mr.Satyeshwar Prasad, Advocate Mr.Rakesh Kumar, Advocate Mr.Alexander Ashok, Advocate
For the Opposite Party/s	:	Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 26-03-2025 Heard Mr. D.K. Sinha, learned Senior Advocate along with Mr. Satyeshwar Prasad, Mr. Rakesh Kumar and Mr. Alexander Ashok, learned counsels appearing on behalf of the petitioner and Mr. Ajit Kumar, learned APP for the State.

2. The petitioner seeks regular bail in connection with Lauriya P.S.Case No.313 of 2023, pending as Sessions Trial No.114/2024, for the offences punishable under Sections 341, 323, 324, 307, 302, 504, 147, 148, 149 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner along with the other accused persons committed murder of one Sant Singh, who is the brother of the informant.

4. Mr. D.K.Sinha, learned Senior Advocate along with Mr. Alexander Ashoka, learned counsel has submitted that the



specific allegation against the petitioner is that he had assaulted the informant and the injury sustained on the body of the informant has been found to be simple in nature, as per the opinion of the Doctor. The postmortem report reveals in respect of the injury sustained by the deceased, Late Sant Singh to be caused by the hard and blunt substance. In the FIR, the informant, who is the eye witness has found that the petitioner was carrying '*Farsa*' in his hand, which is a sharp edged weapon. There is general and omnibus allegation against the petitioner that he along with all the accused persons has assaulted the deceased Late Sant Singh, whose death has been caused by a hard and blunt substance. So far as commission of murder of the brother of the informant, Late Sant Singh, is concerned, it can not be attributed against the petitioner. On these grounds, the petitioner seeks to be released on bail. The petitioner has clean antecedent and he is in custody since 15.05.2024.

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

6. Considering the rival submissions made on behalf of the parties, as well as, considering the fact that there is general and omnibus allegation against the petitioner and the



petitioner is in custody since 15.05.2024. The petitioner has made out *prima facie* a case to be released on bail. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, West Champaran, Bettiah in connection with Lauriya P.S.Case No.313 of 2023, Sessions Trial No.114 of 2024, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.

(3) If the petitioner tampers with the evidence or the witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.

(5) The district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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