

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15701 of 2025

Arising Out of PS. Case No.-329 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Monu Singh @ Monu Kumar Singh Son of Shankar Singh R/o -Basant Khurd
PS- Suppi Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Majorganj P.S. case
No. 329 of 2023 instituted for the offences under Sections
302, 120(b), 34 of the Indian Penal Code and Section 27 of
the Arms Act.

3. Prosecution allegation, in short, is that the
accused persons along with petitioner were involved in killing
the son of the informant.

4. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. General and



omnibus allegation has been made against the petitioner. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of the confessional statement of the co-accused Arun Singh @ Amit Kumar Singh who has confessed his guilt and also named the petitioner and others as participants in the alleged occurrence and, except confessional statement, there is nothing against the petitioner. There is no specific allegation alleged against the petitioner. Specific allegation of firing is alleged against co-accused Arun Kumar Singh who fired upon the son of the informant due to which he died. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 10.06.2024 and has fourteen criminal antecedents. The charge-sheet has been submitted in this case and, thus, there is no chance of tempering with the prosecution evidence. There is no compliance of Section 100 of the Cr.P.C. Co-accused has been granted bail by this Bench vide order dated 18.04.2024 passed in Cr. Misc. No. 27857 of 2024. Several other co-accused persons have also been granted bail by this Court



vide orders dated 23.08.2024, 29.04.2024, 05.07.2024 passed in Cr. Misc. Nos. 60064 of 2024, 33019 of 2024 and 47778 of 2024 respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has altogether 14 criminal antecedents and, hence, he does not deserve bail.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner, charge-sheet being submitted and the claim for bail based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge if not already framed***, 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 Majorganj P.S. case No. 329 of 2023 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.

(III) If the petitioner commits similar type of offence in future, the Trial Court will be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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