

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19039 of 2025

Arising Out of PS. Case No.-440 Year-2020 Thana- AMARPUR District- Banka

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Bittu Singh @ Abhishek Singh Son of Late Sunil Singh @ Late Sunil Kumar
Singh Resident of Village - Teliya, P.S. - Fullidumar, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

4 08-07-2025 Heard learned Counsel for the petitioner and learned

A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 302, 379 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant received information that his son had been shot. It is further alleged that his son disclosed that all the named accused persons, including the petitioner had called him to their house and thereafter they shot him and a mobile phone and Rs. 20,000/- cash was taken away. It is next alleged that the son of the informant was taken to the hospital at Bhagalpur, and thereafter he was referred to Patna for further treatment. However, he died during the course of treatment.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated along with other co-accused persons and from bare perusal of the FIR, it would be evident that there are general and omnibus allegations leveled against all the accused persons. It is further submitted that the petitioner has no concern with the in-laws of the informant and he has falsely been implicated on a concocted motive. From perusal of the impugned order, it would be evident that the investigation against the petitioner was still on, when the bail application was rejected by the learned court below. The learned counsel draws attention towards this Court that the order of Hon'ble Court passed in the case of other co-accused persons namely, Pritam Singh @ Pritam Kumar Singh as well as Buchi Singh @ Pradeep Kumar Singh, which is on record by way of *Annexure-P/3* and *P-4* series whereby similarly situated co-accused persons have been enlarged on bail by Co-ordinate Bench of this Hon'ble Court. He also submits that few other accused persons had also been earlier granted bail by the Hon'ble Court. It is lastly submitted that the petitioner has no criminal antecedents and is in custody since 22.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner is a named accused and he along with other co-accused persons have killed



the son of the informant, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is general and omnibus allegation and also the fact that similarly situated other co-accused persons have been granted bail by the Co-ordinate Benches of this Court, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 440 of 2020 subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

7. Accordingly, the application stands allowed.

(Sourendra Pandey, J)

Sudhanshu/-

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