

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27561 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- MADHUBAN District- East Champaran

1. Saurabh Singh S/o Ashok Singh R/o village- Madhuban Subba Singh Tola, P.S.- Madhuban, District- East Champaran
2. Sitaram Singh S/o Late Ramshish Singh R/o village- Madhuban Subba Singh Tola, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ansiur Rahman, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are in custody in connection with Madhuban P.S Case No. 38 of 2025 registered for the offences punishable under Sections 191 (2), 191(3), 190, 126 (2), 115(2), 329 (3), 109, 352, 351 (2), 351 (3) of the B.N.S, 2023 and Sections 27, 25(1-b)a, 26 and 35 of the Arms Act.

3. Allegation against the petitioners and other co-accused persons is to have short fired upon the informant.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case. It is further submitted that the accused persons are co-agnates and there is land dispute between them. It is also submitted that petitioner no. 1 is in custody since 29.01.2025 and petitioner no. 2 is in custody since 27.02.202 respectively.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order, it appears that there is no specific allegation against the petitioner no. 2 and he has got no criminal antecedent, whereas specific allegation against the petitioner no. 1, namely, Saurabh Singh to assault the informant by means of fire-arm and police recovered the pistol from the house of the petitioner no. 1, namely, Saurabh Singh. Moreover, petitioner no. 1 has got one criminal antecedent.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named only **petitioner no. 2, namely, Sitaram Singh** 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 learned CJM,



Motihar, East Champaran in connection with Madhuban P.S
Case No. 38 of 2025.

8. As far as, petitioner no. 1, namely, Saurabh Singh is concerned, there is specific allegation against the petitioner no. 1, namely, Saurabh Singh to assault the informant by means of fire-arm and and police recovered the pistol from the house of the petitioner no. 1, namely, Saurabh Singh. Moreover, petitioner no. 1 has got one criminal antecedent. So, considering the aforesaid fact and all aspects of this case, prayer for regular bail of the **petitioner no. 1, namely, Saurabh Singh** is hereby rejected.

(Ramesh Chand Malviya, J)

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