

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40811 of 2025

Arising Out of PS. Case No.-154 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Rishikesh Singh @ Rishikesh Kumar S/O Bambhola Singh R/O Village-
Kharuhi, P.S.- Kundwa Chainpur, District- East Champarana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the State : Mr.Arun Kumar Pandey, A.P.P.

For the Informant : Mr.Sumit Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail in a case registered for
the offences under Sections 302, 120B and 34 of the I.P.C.
and Section 27 of Arms Act.

3. As per the prosecution case, the informant has
alleged that his brother Suresh Singh @ Mastanji was a
Mahanth in the *Hanuman* Temple and some local men
suspected that he wanted to capture the land of the *mandir*.
Therefore, they fired at the informant's brother, who



succumbed to his injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. Further submission is that the petitioner is not named in the FIR and subsequently, his name has transpired in the statement of the co-accused persons. It is next submitted that the allegations levelled against the petitioner are general and omnibus in nature. It is lastly submitted that the petitioner has four criminal antecedents and is in custody since 23.03.2025.

5. Learned APP for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner to have conspired in the killing of the informant's brother, therefore, he should not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account that there is general and omnibus allegation against the petitioner, let the petitioner above-named 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 Sessions Trial No. 194/2024 arising out of Kundwachainpur P.S. Case No. 154/2022 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. 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 cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed



for purpose of or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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