

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86152 of 2024

Arising Out of PS. Case No.-325 Year-2024 Thana- HISUWA District- Nawada

Awadhesh Singh Son of Umesh Singh R/o Vill- Latawat, P.S.- Hiswa,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Informant : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 15-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hisua P.S. Case No. 325 of 2024 registered for the offences punishable u/s 147, 148, 149, 323, 307, 354, 379, 504, 506 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act. Petitioner has seven criminal antecedents.

3. As per the prosecution case, the petitioner along with others had entered the house of the informant and started indiscriminate firing and had also assaulted and misbehaved with ladies in the house and there is an allegation of snatching of gold chain. It is further alleged that the dispute was with regard to illegal mining of sand.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and no occurrence, as such, took place as has been stated in the F.I.R., and it was due to an old dispute that the petitioner has falsely been implicated in this case. It is next submitted that there is no specific allegation against the petitioner. It is further submitted that the charges have already been framed in the present case. It is lastly submitted that the petitioner is in custody since 18.10.2024.

5. Learned counsel for the informant and learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner carries around seven criminal antecedents and hence he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that similarly situated co-accused persons has been granted bail by this Court vide order dated 21.04.2025, passed in Criminal Misc. No. 87402 of 2024 and also the fact that there is no specific allegation of overt act against the petitioner and the petitioner is in custody since 18.10.2024, let the petitioner above-named, 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 learned A.C.J.M., VI, Nawada, in connection with Hisua P.S. Case No. 325 of 2024, subject to the following



conditions:-

(i) If, the petitioner involvement is found in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of their bail bonds.

(ii) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(iii) The petitioner shall remain physically present in Court on each date of the trial.

(iv) 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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