

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87383 of 2024

Arising Out of PS. Case No.-3 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Sudhir Kumar Singh @ Sudhir Singh S/O Late Ramnath Singh Resident Of
Village- Bihat Tola Ibrahimpur Police Station- Barauni And District-
Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. PN Shahi, Sr. Adv.
Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Md. Mushtaque Alam, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-01-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Lakhisarai P.S. Case No. 03 of 2022 registered for the
offence under Sections 302, 120(B) and 34 of the I.P.C.
and Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in
custody since 22.02.2024.

4. The allegation against the petitioner is to
commit murder of son of the informant and also one
Bihari Singh along with three named co-accused persons
and four unknown persons where occurrence alleged to be



arising out of previous enmity.

5. Mr. PN Shahi, learned senior counsel appearing on behalf of the petitioner submitted that facing similar allegations *qua* indiscriminate firing, one of the named co-accused persons, namely, Abhishek Kumar @ Sonu Kumar was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 55258 of 2022 dated 03.05.2023. It is pointed out that the deceased himself was a man of criminal antecedents as he found involved in two criminal cases of heinous nature where a dispute with petitioner alleged to be surfaced for an illegal fire arms i.e., *Carbine*. It is pointed out by Mr. Shahi that the *Carbine* may be the reason for dispute but as far participation of petitioner in crime in question is concerned, same stands on equal footing as per the narration of FIR *qua* co-accused Abhishek Kumar @ Sonu Kumar, who has already granted bail. It is submitted that judicial discipline of parity also creates a right in favor of petitioner and on this ground alone petitioner deserves



bail. While concluding the argument, it is submitted that petitioner found involved in four more criminal cases, where he is in bail and moreover, investigation of this case is completed and as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail could not disputed the factual aspect as submitted by Mr. Shahi appearing for the petitioner.

7. In view of aforesaid facts and submissions and by taking note of fact as similarly situated co-accused, namely, Abhishek Kumar @ Sonu Kumar was granted bail by one of the learned co-ordinate Bench of this Court, coupled with the fact that investigation of this case is completed and as such, there is no chance of tampering with the evidence where petitioner is in custody since 22.02.2024, accordingly petitioner above named, is directed to be released on bail in connection with Lakhisarai P.S. Case No. 03 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned CJM, Lakhisarai/concerned court, subject to the
conditions as mentioned under Section 437(3) of the
Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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