

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21413 of 2026

Arising Out of PS. Case No.-174 Year-2022 Thana- ATHMALGOLA District- Patna

Happy Kumar @ Happy Singh Son of Awdhesh Singh @ Sadhu Singh
Resident Of Village - Sirsi Ps -Bakhtiyarpur Dist -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-06-2026 Heard Mr.Tej Narayan Singh, learned counsel for
the petitioner and Mr.Prem Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
03.01.2026 in connection with Athmalgola P.S. Case No. 174
of 2022, F.I.R. dated 20.06.2022 registered for the offence
punishable under Sections 120(b),307,302,34 of IPC and
Section 27 of the Arms Act.

3. Three unknown persons are alleged to have fired
upon the father of the informant as a result of which he
sustained multiple gunshot injuries and died during treatment.

4. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in the present case.



As per allegation in the FIR, the petitioner and other co-accused persons have killed the deceased. Learned counsel for the petitioner submits that on the date occurrence i.e. on 20.06.2022 the petitioner was in judicial custody in connection with Athmalgola P.S. Case No. 79 of 2020 under Sections 147,148,149,302 of IPC & Section 27 of Arms Act and petitioner was in custody since 10.03.2020 and in the aforesaid case the petitioner has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 05.03.2025 passed in Cr. Misc. No.70338 of 2024 which suggests that on the date of occurrence the petitioner was in judicial custody and he has falsely been implicated in the present case and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 03.01.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one but fairly submits that out of five cases, the petitioner is on bail in four the cases, and rest one case is pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.



6. Considering the aforesaid facts and on the date of occurrence the petitioner was in judicial custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, Patna in connection with Athmalgola P.S. Case No. 174 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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 above-mentioned



order shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

