

Patna High Court - Orders

Mintu Singh vs The State Of Bihar on 19 February, 2011

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.42808 of 2010

MINTU SINGH s/o Rambilash Singh @ Kailu Singh

Resident of Village Khamhar, Police Station Begusarai Muffasil,  
District Begusarai.

.....Petitioner

Versus

THE STATE OF BIHAR

.....Opposite Party

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2 19.02.2011 Nobody is present on behalf of the parties in view of call of en masse abstention of the lawyers given by the Bihar State Bar Council. However, I have perused the materials available on the record.

The petitioner is an accused in a criminal prosecution registered under section 302/34 of the Indian Penal Code and 27 of the Arms Act. According to the prosecution case, co-accused Arvind Singh is specifically alleged to have fired upon the deceased Subin Kumar causing injury to him. Thereafter other co-accused persons are also alleged to have made some more firing. Aforesaid Subin Kumar was taken for treatment and subsequently he died.

From the materials available on the record, it appears that though the petitioner is also named as one of the accused, but there is no specific allegation of firing against him. Co-accused Shashi Kant Singh, Nalin Kumar @Chharapan Singh with almost similar and identical allegation have been granted bail by a Bench of this Court by an order dated 13.04.2010 and 26.07.2010 respectively vide Annexure 2 series. Petitioner is said to be in judicial custody since 10.09.2010.

In the aforesaid facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 468 of 2009.

( Birendra Prasad Verma, J ) M.Rahman