

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31583 of 2014

Arising out of P.S. Case No. -201 Year- 2013 Thana -MAJORGANJ
District- SITAMARHI

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Binod Singh @ Bholi Singh Son of Late Eknath Singh R/o Village-
Narkatiya, P.S.- Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s: Mr. Akbar Ali (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 12.01.2015

Heard learned counsel for the Petitioner, Informant
and the State.

The Petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 307/34 and 302 of the
Indian Penal Code and Section 27 of the Arms Act.

In the First Information Report a confusing statement
has been given by the first Informant from which it is not clear
as to whether it was the Petitioner who had shot at his cousin
brother. However, he pinpointed that the deceased had been
shot dead by Narendra Prasad Singh. The son of the deceased
also gave a fardbeyan wherein he attributed specific overt act
to the co-accused, Narendra Prasad Singh.

Considering the aforesaid aspects as also the manner
of occurrence and clean antecedents of the Petitioner, let him
be released on bail on furnishing bail bond of Rs. 5,000/- (Five
Thousand) with two sureties of the like amount each or any
other surety as fixed by the Court to the satisfaction of Chief
Judicial Magistrate, Sitamarhi in connection with Majorganj

P.S. Case No. 201 of 2013 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.)

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