

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44822 of 2014

Arising Out of PS.Case No. -73 Year- 2014 Thana -PIRO District- BHOJPUR

Chandan Raj @ Chandan Yadav Son of Arun Kumar Singh Resident of village- Balua Tola, P.S.- Piro, District- Bhojpur At Arrah (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.3332 of 2015

Arising Out of PS.Case No. -73 Year- 2014 Thana -PIRO District- BHOJPUR

Dinesh Yadav @ Kari Singh Son of Kashi Nath Yadav Resident of Village - Balua Tola (Piro), P.S. - Piro, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.47193 of 2014

Arising Out of PS.Case No. -73 Year- 2014 Thana -PIRO District- BHOJPUR

Pintu Singh @ Ashish Singh Son of Sheojee Singh resident of village- Balua Tola, Piro, P.S.- Piro, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.45645 of 2014

Arising Out of PS.Case No. -73 Year- 2014 Thana -PIRO District- BHOJPUR

Jitu Singh @ Jitendra Singh @ Jitu Yadav Son of Ramsurat Singh resident of village- Balua Tola, Police Station- Piro, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

19-03-2015

All these applications arise out of Piro P. S. Case no. 73 of 2014, as such, they have been heard together and are being disposed of by this common order.

The petitioners seek bail in a case for the offence punishable under Sections 302, 120B/34 of the Indian Penal Code.

It is submitted that only two persons have been named in the F.I.R.. During investigation Dinesh Singh has been arrested and he has made confession before the police naming the petitioners and others to have committed the offence. In course of investigation Md. Jaffar, brother of the deceased, has also not stated as to who had shot fire killing the deceased. Only he has seen Chandan and Dinesh escaping in the lane. During investigation call details of the deceased have been located, but none of the mobiles belongs to the petitioners. Only the police has submitted chargesheet against the petitioners on the basis of circumstances and the confessional statement of Dinesh. Jitu has also made confession but that does not lead to any recovery.

Learned counsel for the State submits that the informant is not the eye witness to the occurrence. During investigation the witnesses have stated about the involvement of the petitioners in the occurrence. It appears that Dinesh and Pintu have criminal antecedents and the case is based on circumstantial evidence. After investigation the case has been found true and

chargesheet has already been submitted.

Considering the facts and circumstances of this case, the above-named petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Arrah/court concerned in Piro P. S. Case no. 73 of 2014 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bonds will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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