

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46239 of 2014

Arising Out of PS.Case No. -179 Year- 2004 Thana -BAKHTIYARPUR District- PATNA

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Awadhesh Kumar Singh @ Sadhu Singh @ Sadhu

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shraddhanand Paswan

For the Opposite Party/s : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 29-09-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

Petitioner is named in the first information report but there is only allegation against him that he along with other accused ordered the co-accused, Ramayan Singh to shoot the informant's mother and after that, the co-accused, Ramayan Singh shot fire on the deceased.

The alleged occurrence took place in the year, 2004 and police submitted charge sheet in the year, 2005 showing the petitioner absconder. The petitioner was apprehended and remanded in this case on 21-09-2015 and since then, he is languishing in jail custody.

Learned counsel for the petitioner points out that charge against the petitioner was framed on 22-04-2014 but uptill

now, not a single prosecution witness could be examined. It is further pointed out that so far as co-accused, Ramayan Singh is concerned; he was convicted by the trial court in Sessions Trial No. 796 of 2006 but was released on bail by the Division Bench of this court vide order dated 05-08-2015 passed in Cr. Appeal (D.B.) No. 939 of 2010.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bakhtiyarpur P.S. Case No. 179 of 2004 corresponding to Sessions Trial No. 31 of 2014 to the satisfaction of learned Additional Sessions Judge-I, Barh subject to condition that one of the sureties shall be wife of the petitioner and another surety shall be holder of landed property.

A.K.V./-

(Hemant Kumar Srivastava, J)

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