

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40491 of 2014

Arising Out of PS.Case No. -97 Year- 2014 Thana -BELHAR District- BANKA

1. Domi Singh @ Domi Prasad Singh Son of Late Ram Autar Singh R/o Village Nakati, P.S. Belhar, District Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 09-02-2015 Supplementary affidavit has been filed, let it be kept on record.

Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is permitted to make correction in prayer portion and first paragraph of the petition.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the accused including the petitioner is to have taken the deceased with them and thereafter, the deceased did not return to his house and on the next day, the dead body of the deceased, Jyoti Kumar Singh was found near

canal.

Learned counsel for the petitioner submits that the informant is not eye witness to the occurrence. Moreover, he has filed a petition before the Chief Judicial Magistrate in which the accused named in the F.I.R. has been given go bye and other seven persons have been suspected to have caused the death of the accused. He has further submitted that in Sessions Trial 806 of 2014 arising out of G.R. No. 1147 of 2014, the informant Lal Bahadur Singh has been examined as P.W. 3 and he has not named any accused including the petitioner to have done any overt act and he has been declared hostile. The petitioner has been in custody since 25.06.2014.

Considering the facts and circumstances, the petitioner Domi Singh @ Domi Prasand Singh is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge, IV, Banka in connection with Sessions Trial No. 806 of 2014 arising out of Belhar P.S. 97 of 2014 (G.R. No. 1147 of 2014) with following conditions:-

- I) One of the bailors will be the close relative of the petitioner.
- II) The petitioner will not indulge in similar or



in any other offence.

- III) The petitioner will be well represented in the Court.
- IV) In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the Court concerned.

(Amaresh Kumar Lal, J)

Sudha/-

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