

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10097 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -KAJRA District-
LAKHISARAI

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Tanik Singh @ Binay Singh @ Binay Singh Son of Late Arjun Singh,
Resident of Village - Narottampur, P.S. - Kajra, District - Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 24-06-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 302, 307, 120B/34 of IPC
and 27 of the Arms Act.

Allegation against the petitioner is to have instigated
the co-accused to shoot. When co-accused shot fire, deceased fell
down receiving fire shot injury and the petitioner also shot fire
which caused his death on the spot.

Learned counsel for the petitioner submits that it
appears that the informant is not eye witness to the occurrence. A
case was registered by Ranjit Kumar, Officer-in-charge, Kajra
Police Station vide Kajra P. S. Case No. 61 of 2014 for the offence

punishable under Sections 25(1-b)A, 26, 35 of Arms Act in which co-accused Gaurav Yadav @ Sukhesh Yadav was apprehended and he confessed his guilt and had given vivid description as to how he and Gautam Tanti both caused the death of Birendra Kumar Singh by firearms. The petitioner found that shooter of the deceased was Gaurav Yadav and Gautam Tanti. However, after investigation charge-sheet has also been submitted against the petitioner also.

Learned counsel for other side could not controvert the contention of the petitioner while opposing his prayer for bail. He has submitted that the petitioner has also criminal antecedent of similar nature.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Lakhisarai/court concerned in Kajra P. S. Case No. 59 of 2014 **after framing of charge** with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the

petitioner.

3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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