

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9659 of 2015

Arising Out of PS.Case No. -136 Year- 2013 Thana -CHAPRA MUFFASIL District- SARAN

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Dilip Singh @ Dilip Kumar Singh Son of-Parmeshwar Dayal Singh
Resident of Village-Newaji Tola, Police Station-Chapra (Mufassil),
District-Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Md. Ansar-Ul-Haque (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 06-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner has renewed his prayer for bail
in a case registered for the offences punishable under Sections
341, 324 and 307/34 of the Indian Penal Code. Subsequently,
section 302 of the IPC was also added. The petitioner is
languishing in custody since 14.06.2013.

The accusation is of making assault with
knife to the informant and his son when the informant
subsequently succumbed to the injury.

It is submitted by learned senior counsel for
the petitioner that it is a case of single blow when the intention

under Section 302 IPC cannot be gathered. Out of 11 charge-sheeted witnesses five have been examined including the wife of the victim and the informant but none have supported the prosecution case and have been declared hostile.

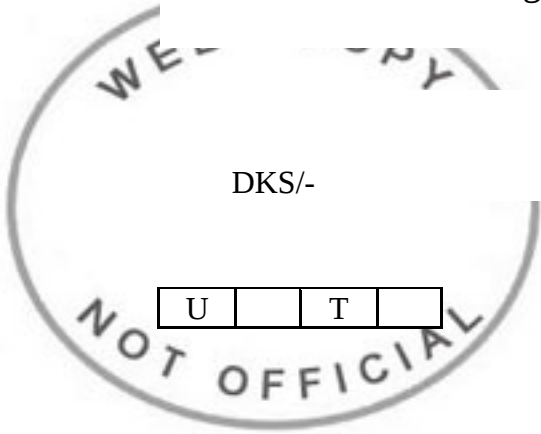
This contention of learned senior counsel has not been controverted after going through the evidence of P.Ws. which has been brought on record through supplementary affidavit.

Earlier the prayer for bail of the petitioner was rejected vide Cr. Misc. No. 2342 of 2014 on 31.01.2014 with liberty to renew his prayer for bail, if the trial is not concluded within a period of one year.

In view of the liberty given, the fact that the witnesses examined so far have not supported the prosecution case and a statement has been made in para 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner, 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 Ist Additional Sessions Judge, Saran at Chapra in connection with Sessions Trial No. 741 of 2013 arising out of Chapra (Muffasil) P.S. Case No. 136 of 2013.

The bail bonds of the petitioner shall be

accepted on filing affidavit that petitioner will regularly appear during trial.



(Dinesh Kumar Singh, J)