

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.294 of 2015

Arising Out of PS.Case No. -133 Year- 2014 Thana -SIWAN CITY District- SIWAN

Kum Kum Singh, son of Chandrama Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Upendra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 07-01-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 03.09.2014 in a case
registered for the offences punishable under Sections 302/34 of the
Indian Penal Code and 27 of the Arms Act.

The first information report has been lodged against
accused, Raja on the basis of so-called dying declaration made by
the deceased. The name of petitioner came in course of
investigation when two witnesses claimed to have seen the
petitioner along with aforesaid Raja and one other at the time of
alleged occurrence. The impugned order reveals that the aforesaid
witnesses specifically stated that it was co-accused, Raja who
opened fire on the deceased. So, even if the aforesaid statement
assumed to be true, then also, it was co-accused Raja who made

firing upon the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the 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 Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 133 of 2014.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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