

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32818 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -GORIAKOTHI District- SIWAN

=====

1. Ashok Singh Son of late Rangila Singh resident o Village Mirzapur P.s
Goriyakothi, Dist siwan..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

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

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 09-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Goreakothi
P.S. Case No. 01 of 2015 registered for the offences punishable
under Sections 302, 201/34 of the Indian Penal Code.

Allegedly, the son of the informant went by bicycle from
house in the morning but he did not return and in the noon the
informant came to know that in the way of Mizapur Matiya there
is a dead body then, the informant went there and identified the
dead body of her son and it is alleged that unknown miscreants
after killing her son has thrown the dead body in the well. During
investigation the name of the petitioner transpired in the further
statement of the informant and other witnesses and further the
petitioner confessed his guilt.



Submission is of false implication and that this case is counter blast of Goreakothi P.S. Case No. 83 of 2014 under Sections 302, 201, 34 of the Indian Penal Code and Sections 6 / 8 of POCSO Act. The petitioner is not named in the FIR but subsequently with ulterior motive in further statement the informant gave his name as suspect but there is no eye witness of the occurrence and only on the basis of confessional statement which has got no evidentiary value, the petitioner is suffering in custody since 30.01.2015.

Learned APP submits that the name of the petitioner comes during further statement of the informant and other witnesses have also stated his name but fairly submits that there is no eye witness of the occurrence.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no eye witness of the occurrence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Goreakothi P.S. Case No. 01 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial

jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

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