

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39186 of 2015

Arising Out of PS.Case No. -419 Year- 1999 Thana -JAHANABAD District- JEHANABAD

Uma Shankar Singh son of late Devendra Singh, resident of village Ramdeochak, P.S. Jehanabad, District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 376 and 302/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with another co-accused had committed rape and killed daughter of the informant.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 10.3.2015. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. Paragraphs no. 218, 219, 220, 221, 222, 142, 143, 144, 145 and 148 have been referred on behalf of the petitioner to show that petitioner has been implicated due to previous enmity. As per prosecution case, petitioner was fleeing away from the place of occurrence. There is no eye witness to the occurrence. Further, it is submitted that petitioner may be released after completion of nine months from 10.3.2015.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. From perusal of the case diary it would appear that he is in the habit of committing such offence.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of nine months in custody from 10.3.2015 on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge III, Jehanabad, in connection with Jehanabad P.S. Case no. 419 of 1999.

(Sudhir Singh, J)

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