

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50458 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Rahul Singh S/o Ramesh Singh resident of village - Shivpur, P.S.
Bikramganj, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv

For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-12-2015 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner is languishing in jail since 06.06.2015 in connection with Bikramganj P.S. Case No. 22 of 2015 for the offences alleged under Sections 307, 341, 504, 324/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is based upon the fardbeyan of one Ranjan Kumar @ Chipis on 10.02.2015 at 10 P.M. stating therein that on the same day at 8.15 P.M. he alongwith his cousin brother namely Rakesh Singh @ Pintu Singh were returning home after having dinner from the Tilak Ceremony in the house of co-villager Ram Avtar Yadav and as soon as they reached near the house of co-villager Satendra Lal, accused Rahul Singh, Amit Singh and



Umesh Singh, armed with firearm stopped them and abused them. It is further stated that accused Rahul Singh stated that informant was contesting election of PACCS against him so he ordered to kill. Thereafter, accused Ramesh Singh and Ritesh Singh also reached there, having firearm in their hands and again Ramesh Singh ordered to kill upon which Amit Singh fired which hit informant's cousin Rakesh Singh @ Pintu Singh and when informant went there to save him then accused Rahul Singh fired which hit his left hand wrist and waist of the informant. It is further stated that Umesh Singh also fired at him but it did not hit. On hearing sound of firearm villagers started assembling there and all accused fled away.

It has been submitted by learned counsel for the petitioner that he has committed no offence and has been falsely implicated in the aforesaid case. One of the accused Amit Singh has already been granted the privilege of bail in Criminal Miscellaneous No. 33645 of 2015 dated 19.08.2015 on same and similar allegation.

Under such circumstances, let the petitioner namely, Rahul Singh be released on bail on furnishing bail bond of Rs. 10, 000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj (Rohtas) in

connection with Bikramganj P.S. Case No. 22 of 2015.

However, since the petitioner is accused in another case bearing Bikramganj P.S. Case No. 206 of 2013 for the offence alleged under Section 307 of the Indian Penal Code, if the petitioner in future, is found to have committed an offence of similar nature, learned Court below will be at liberty to cancel the bail bonds of the petitioner without being prejudiced by this order.

(Nilu Agrawal, J)

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