

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25523 of 2015**

Arising Out of PS.Case No. -90 Year- 2014 Thana -NTPC KHAIRA District- AURANGABAD

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1. Rakesh kumar Singh @ Pinku singh @ Rakesh Kumar, S/o Dhudeshbar  
singh R/o Vill- Urdana P.S -N.T.P.C-Khaira, Dist- Aurangabad

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

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

3      08-10-2015                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P.

The petitioner seeks bail in a case for the offences  
punishable under sections 302/34 of the I.P.C

Allegedly, father of the informant went to irrigate  
paddy crops at about 9 P.M. having spade in his hand to Urdana  
Badhar where he was killed and it is claimed that the petitioner  
due to enmity has killed him as he caused threats earlier.

Submission is of false implication and that there is  
land dispute between both the parties. One Gaya Singh called the  
deceased for irrigation and one Sudarshan Singh @ Mukhiya gave  
information regarding death of the deceased and there is no direct  
evidence nor circumstantial evidence against him and only on the

basis that earlier the petitioner has caused threats he has been implicated resulting he is suffering in custody since 13.11.2014 having no criminal antecedent. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that there is no direct evidence against the petitioner.

In the facts and circumstances as stated above, the petitioner is directed to 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 C.J.M. Aurangabad in N.T.P.C. Khaira P.S. Case No. 90 of 2014, 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)**

Abhay/-

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