

Arising Out of PS.Case No. -28 Year- 2013 Thana -BHOJPUR GRP CASE
District- BHOJPUR

Versus

The State of Bihar. Opposite Party.

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. M.Dayal (A.P.P.)

3 16-10-2015 Heard the learned counsel for the petitioner as well as the
learned A.P.P.

Petitioner is not named in the First Information Report, but in course of investigation copy of fardbeyan recorded by Officer-in-charge, Chitwaragaw P.S., District-Balia (U.P.) in connection with other case was received wherein the petitioner alongwith others were caught and firearms were recovered from possession of co-accused Amit @ Amarjit Singh and it is alleged that he made his confession disclosing his participation as well as participation of the petitioner and others in the present crime also.

Submission is that besides above there is nothing against the petitioner and Amit @ Amarjit Singh has been allowed bail vide Criminal Miscellaneous No. 37919 of 2014 by another co-ordinate Bench of this Court by order dated 06.02.2015.

The learned A.P.P. opposes the prayer for bail of the petitioner by submitting that he has confessed his guilt and that he booked the vehicle and murdered the driver of the said vehicle.

In the facts and circumstances stated-above, considering that other co-accused has been granted bail by co-ordinate Bench of this Court stated above and as such, 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 Railway J.M. Ara in connection with Buxar Rail P.S. Case No. 28/2013, 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.)

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