

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51062 of 2015

1. Krishna Singh @ Krishna Kumar Singh son of Late Laldeo Singh,
resident of village- Balbapar, P.S.- Islampur, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Islampur P.S. Case No. 138 of 2015 registered for offences
punishable under Sections 302, 120 (B), 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case is that on 6.05.2015 at about 4 P.M.
the informant was going to Jaitipur for flouring wheat and when
he reached near the shop of one Ishwar Choudhary, he saw that the
petitioner, co-accused Sanjay Singh and one unknown person were
talking with his nephew Awadhesh Kewat and the informant went
away to Jaitipur, whereafter at about 5 P.M. he learned that his
nephew has been shot dead. On getting this information, the
informant went there and saw the dead body of his nephew near
Mahadeo Sthan. The informant alleged that petitioner Manoj
Singh, co-accused Sanjay Singh and one unknown person with

connivance of each other, have killed his nephew.

It has been submitted by the learned counsel for the petitioner that the petitioner is not named in the F.I.R. and he has no criminal antecedent as is evident from para-3 of the petition.

It has also been submitted by the learned counsel for the petitioner that one of the named accused in the F.I.R. has already been granted privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 44376 of 2015 dated 13.10.2015. I do not propose to take a different view on the basis of the similar allegation. Moreso, the petitioner is not a named F.I.R. accused. During investigation the name of the petitioner surfaced.

Under such circumstances, let the above named petitioner, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Islampur P. S. Case No. 138 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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