

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6057 of 2016

Arising Out of PS.Case No. -790 Year- 2015 Thana -SITAMARHI District- SITAMARHI

1. Ajay Kumar @ Ajay Singh S/o Guddar Mahto R/o village - Ramnagar,
P.S. Riga, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Renuka Ratnakar(App)

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

4 05-05-2016 Heard the learned counsel for the petitioner and
the learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 790 of 2015 registered for the offences
punishable under Section 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The present case has been lodged against unknown
persons and during investigation, the name of the petitioner
transpired in the confessional statement of co-accused Ashok
Singh and thereafter also, in the confessional statement of Deep
Narayan Mahto and further, the petitioner also confessed his
guilt. It also transpires that the petitioner along with Deepak
Kumar and Mahesh @ Mahesiya were seen fleeing away on the

motor-cycle by the witness Santosh Kumar.

Submission is of false implication and that Ashok Singh and Deepak Kumar have already been allowed bail, other co-accused have also been allowed bail and there is no legal and tangible material against the petitioner, no one has seen the petitioner killing the deceased, the petitioner has no concern with co-accused, Ashok Singh and due to dirty village politics, after long lapse of time, one of the witnesses has stated the name of the petitioner that he saw him also fleeing away which appears not reliable. The petitioner is suffering in custody since 10.10.2015, 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 other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 790 of 2015, 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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