

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9349 of 2016

Arising Out of PS.Case No. -13 Year- 2013 Thana -KASHICHAK District- NAWADA

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Chunchun Singh @ Chunnu Sardar, S/o Late Uday Singh, R/o Manama,
P.S.- Hisua, Distt- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party : Mr. Durgesh Nandan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016 Heard learned counsel for the petitioner and the learned

APP for the State.

Petitioner is in judicial custody since 07.10.2015 for the
offences alleged under Sections 302/34 of the Indian Penal Code
in connection with Kashichak P.S.Case No.13 of 2013.

The prosecution case in brief, is that the informant
Surendra Kumar Singh, ASI, gave a written report to O/C
Kashichak P.S. alleging that on 24.03.2013 he got an information
that petitioner and others named and unnamed accused persons
have killed a person by hitting with leaves of Palm tree. He went
to Tola Bhagalpur and tried to search the relatives of deceased
where he saw that a dead body was lying on ground. None was
available there. In course of verification, he learnt that petitioner

and others have killed the deceased and on threatening the family members have fled away from there. Inquest report was prepared and dead body was sent for postmortem.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He further submits that there is no witness who has witnessed the occurrence and the deceased died due to fall from the roof. It has also been submitted that it is only on the basis of suspicion that the petitioner has been implicated. It has also been submitted that the co-accused Teni Mahto has already been granted privilege of bail in Cr.Misc.No.3515 of 2014 on 16.04.2014 on same and similar allegations.

However, the learned APP opposes the prayer for bail stating that the petitioner has criminal antecedent with six more cases and petitioner has since been arrested on 07.10.2015 in connection with another case bearing Narhat P.S.Case No.25 of 2015..

Be that as it may, let the above named petitioner 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 CJM, Nawada in connection with Kashichak P.S.Case No.13 of 2013.

However, it is made clear that since the petitioner is an accused in six more cases, if the petitioner is found to have indulged in a case of similar nature in future, the learned court below will cancel the bail bonds of the petitioner without being prejudiced by this order.

(Nilu Agrawal, J)

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