

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10027 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -SHEOHAR District- SHEOHAR

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1. Rajiv Singh @ Ram Nivas Singh @ Bullet Singh son of Late Surendra Singh, resident of village- Basant Jagjivan, Tola- Gadhwa, P.S.- Purnahio, District- Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Sah, Advocate

For the Opposite Party/s : Mr. Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Tr. No. 734 of 2016, G.R. No. 264 of 2015 arising out of Sheohar P.S. Case No. 99 of 2015 registered for the offences punishable under Sections 302 and 120(B)/34 of the Indian Penal Code.

Allegedly, the husband of the informant was killed under criminal conspiracy due to non-fulfillment of demand of ransom by Rajeshwar Singh, Sudhir Singh and two unknown. During investigation on the basis of confessional statement of the petitioner made in Chiraiya P.S. Case No. 121 of 2015 he has been remanded in this case.



Submission is of false implication and there is no legal and tangible material against the petitioner, the petitioner has never demanded any ransom, he is in custody since 02.10.2015 but he has not been put on TIP though there is allegation that unknown miscreants came and shot the husband of the informant. The co-accused Rajeshwar Singh who is named in the First Information Report has already been allowed pre-arrest bail by another co-ordinate Bench of this Court vide Cri. Misc. No. 39768 of 2015 and, as such, the petitioner also deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent and he is involved in 12 more cases.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is 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 C.J.M., Sheohar in connection with Tr. No. 734 of 2016, G.R. No. 264 of 2015 arising out of Sheohar P.S. Case No. 99 of 2015 subject to the conditions that one of the bailors must be 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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