

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18134 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -KARPI District- JEHANABAD

Paplu Singh S/o Baban Singh, R/v Dhora, P.S. Rampur Chauram, Distt.
Arwal Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

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28-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Karpi P.S.
Case No. 206 of 2015 registered for the offences punishable under
Sections 302, 307 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, Satendra Kumar was shot dead when he
was sleeping and further one Bhola Kumar was also injured who
was sent to private hospital at Patna for treatment and during
treatment he also died.

Submission is of false implication, the petitioner is not
named in the First Information Report, no suspicion has been
raised against the petitioner in the First Information Report but
only on the basis of statement of police spy, the name of the
petitioner and others have come vide para 23 and 26 of the case
diary and thereafter, co-accused Santosh Kumar was apprehended
and he confessed his guilt and stated the name of the petitioner

also and thereafter, the petitioner was also arrested and his confessional statement has got been recorded forcibly, there is no legal and tangible material against the petitioner and without any fault, he is suffering in custody since 14.12.2015.

The learned APP submits that the petitioner has confessed his guilt.

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 also there is no eye witness of the occurrence 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., Arwal in connection with Karpi P.S. Case No. 206 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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