

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17367 of 2016

Arising Out of PS.Case No. -58 Year- 2015 Thana -PIPRIYA SAHAYAK District- LAKHISARAI

1. Kanhaiya Singh, Son of Late Suresh Singh, Resident of Village-
Ramchandrapur, P.S.- Pipariya, District-Lakhisarai..... Petitioner
Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md . Ansural Haque (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 24-06-2016

Heard learned Sr. Counsel for the petitioner and

learned counsel representing the State.

The petitioner seeks bail in connection with Pipariya P.S. Case No. 58 of 2015 registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other FIR named accused persons killed Bambam Singh and Gholtan Singh after making conspiracy and plan. Co-accused Rabish Kumar and Prem Kumar have taken away Bambam Singh the son of the informant and after drinking together killed Bambam Singh and Gholtan Singh.

Submission is of false implication and that the informant is not an eye witness, no one is the witness of actual killing and only on suspicion the petitioner has been implicated as he has got

criminal antecedent. The Police has got recorded the confessional statement of the petitioner forcibly which has got no evidentiary value in the eye of law and without any fault he is suffering in custody since 01.12.2015.

Learned APP submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, 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 Sri Naresh Mahton, J. M. Ist Class, Lakhisarai in connection with Pipariya P.S. Case No. 58 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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