

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22811 of 2016

Arising Out of PS.Case No. -1029 Year- 2015 Thana -BIHTA District- PATNA

Manoj Singh, aged about 40 years, Son of Sri Nath Singh, resident of Dilwarpur, P.S.- Bihta, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Nagma Shamim, Advocate

For the Opposite Party : Mr. Ajit Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Bihta P.S Case No. 1029 of 2015 registered for the offences punishable under Sections 302 & 120(B) of the Indian Penal Code and under section 27 of the Arms Act.

Allegedly, the father of the informant was shot dead by unknown miscreants when he was sleeping at *machan* near Labour Colony, Bihta. During investigation, the name of the petitioner and other transpired in further statement of the informant that the petitioner has caused threat and earlier the petitioner was assaulted by the deceased and his family members.

Submission is of false implication and that beside

suspicion there is nothing against the petitioner, the police has got recorded confessional statement of the petitioner forcibly and besides suspicion and confessional statement there is no other material against the petitioner, without any fault the petitioner is suffering in custody since 21.12.2015 and as such, he deserves sympathetic consideration. Co-accused Dhananjay Singh @ Lall Killa has already been allowed bail vide Criminal Miscellaneous No. 17352 of 2016 by another co-ordinate Bench of this Court.

Learned A.P.P. submits that the informant in his statement has named the petitioner and further other witnesses have also stated the name of the petitioner, but they are not eye-witnesses.

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 is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Danapur, arising out of Bihta P.S. Case No.1029 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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