

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22264 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Viranjan Singh S/o Arun Kumar Singh resident of village - Kudasan,
P.S. Bhabua, District - Kaimur Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Ashok Kumar Singh 1 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-07-2016 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bhabua P.S. Case No. 24 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Sections 3(2) (v) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the husband of the informant went with the petitioner and one another on motorcycle but he did not return and thereafter, his dead body was found lying at the side of the road having several injuries.

Submission is of false implication and that there is no eye witness of actual killing, there is nothing on the record to show that the petitioner was seen lastly with the deceased before his death, in the confessional statement recorded by the Police only it has come that the petitioner gave Rs. 2,000/- after taking from a man who was in the wine

shop and thereafter, the petitioner and Kavi Patel went to their houses. Post mortem report also suggests that the deceased might have met with an accident and he received injuries due to impact and flow of hard blunt object of heavy nature. The petitioner is suffering in custody since 17.01.2016, he is a student and had got bright career, he has received several awards vide annexure-3 series and as such he deserves sympathetic consideration to which the learned APP opposes.

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, 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 Chief Judicial Magistrate, Bhabua in connection with Bhabua P.S. Case No. 24 of 2016, 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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