

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22907 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -KARAKAT District- SASARAM (ROHTAS)

1. Chandra Mani Singh @ Tuntun Singh son of Sri Rajdeo Singh
Mohanpur, P.S. - Karakat, District - Rohtas..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

For the Informant : Mr. Brajendra Nath Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 14-07-2016

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

The petitioner seeks bail in connection with Karakat P.S.
Case No. 171 of 2015 registered for the offence punishable under
Section 363 of the Indian Penal Code in which Sections 302,
201/34 of the Indian Penal Code were added later on.

Allegedly, Ankita Kumari aged five years became
traceless and accordingly, the first information report was lodged
against unknown. During investigation the dead body of the victim
girl was recovered from a pond situated behind the house of the
petitioner and thereafter, the name of the petitioner and other
surfaced.

Submission is of false implication only on suspicion,
there is no legal and tangible material against the petitioner, in



paragraph 30 of the case diary Guriya Devi has stated that in the house of co-accused Rajdeo Singh a girl aged six years had come who stated that Ankita was there and she was killed by the petitioner but the statement of that girl has not been recorded during investigation and as such Guriya Devi is a hearsay witness, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, co-accused Rajdeo Singh has already been allowed bail vide Cr. Misc. No. 14896 of 2016 and as such the petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the dead body was recovered from a pond situated behind the house of the petitioner and there is circumstantial evidence and post mortem report also suggests that the deceased was killed due to strangulation.

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 S.D.J.M.,

Bikramganj in connection with Karakat P.S. Case No. 171 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.

avin/-

(Jitendra Mohan Sharma, J)

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