

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43599 of 2015

Arising Out of PS.Case No. -119 Year- 2004 Thana -LAKHISARAI District- LAKHISARAI

1. Shambhu Singh, S/O Ram Nandan Singh, Resident of Village- Sawandih,
Police Station & District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-02-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 364, 302 and 201 of the I.P.C

Allegedly, the petitioner and other co-accused came at the house of the informant, caught his son Muchkund Kumar @ Shukul Singh and started assaulting the son of the informant. Thereafter, the son of the informant was taken away by the petitioner and others towards east of the village and subsequently the informant heard the sound of firing and thereafter the dead body of his son was found in the Well.

Submission is of false implication and that the police after completing investigation has submitted final form against the

petitioner and eight others but later on warrant of arrest was issued and the petitioner has been apprehended resulting he is suffering in custody since 27.02.2015, whereas, other similarly situated co-accused, namely, Rajeev Kumar and Ranjan Kumar have been allowed pre-arrest bail by another coordinate Bench of this Court vide Cr. Misc. No. 26729 of 2015 and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has got criminal antecedent as he is involved in three more cases.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Lakhisarai in Lakhisarai P.S. Case No. 119 of 2004/ G.R. No. 307 of 2004, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--