

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.45649 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -DHOLBAJJA District- BHAGALPUR

1. Pankaj Singh Son of Mathuri Singh, Resident of Village - Pachgachia  
tola Kadwa, P.s. - Dholbajja (Kadwa), District - Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

with

Criminal Miscellaneous No.52817 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -DHOLBAJJA District- BHAGALPUR

1. Tunna Singh S/o Sri Nago @ Nageshwar Singh resident of village  
Pachgachia Tola Kadwa, PS. Dholbajja (Kodwa) Distt. Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

(In Cr.Misc. No.45649 of 2015)

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Nirmala Kumari(App)

(In Cr.Misc. No.52817 of 2015)

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA

ORAL ORDER

4 19-02-2016 Both the Criminal Miscellaneous are of the same  
occurrence and as such have been heard together and are being  
disposed of by passing this common order.

Heard the learned counsel for the petitioners as well  
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offence punishable under section 302/34 of the I.P.C and section 27 of the Arms Act.

The informant, father of the deceased, named three persons, i.e. Kishore Yadav, Amit Yadav and Dilip Yadav and suspected that they along with other unknown accused persons might have killed his son. During investigation name of the petitioners transpired in the confessional statement of co-accused Rahul Kumar.

Submission is of false implication and that Rahul Kumar who has confessed his guilt and stated the name of the petitioners has already been allowed bail vide Cr. Misc. No. 34880 of 2014 and further other co-accused Prakash Singh has also been allowed bail and Kishore Yadav has been allowed pre-arrest bail.

The learned A.P.P. does not dispute the aforesaid facts

In the facts and circumstances as stated above, the petitioners, namely, Pankaj Singh and Tunna Singh both are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Gupta, J.M. 1<sup>st</sup> Class, Naugachia, Bhagalpur in Dholbajja P.S. Case No. 05 of 2014/ G.R. No. 376 A of 2014, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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