

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58259 of 2015

Arising Out of PS.Case No. -144 Year- 2014 Thana -CHAUSA District- MADHEPURA

1. Jitendra Singh Son of Mahendra Singh Resident of Village Borba Tola
(Kadba) P.S. Dhol Bajja, District Bhagalpur..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

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

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

ORAL ORDER

2 30-01-2016

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

Petitioner seeks bail in connection with Chousa P.S.
Case No. 144 of 2014 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, the petitioner and other FIR named accused
persons being armed opened indiscriminate firing upon Bikash
Singh, the brother of the informant, resulting, Bikash Singh died.
It is stated that earlier they have killed Sattan Singh, the father of
the informant, in the year 1999 and after release from custody,
they have committed the crime, out of those miscreants Anivesh
Singh and Biran Singh were caught by the villagers.

Submission is of false implication and that the
petitioner has got no criminal antecedent, two co-accused who

were caught at the spot have already been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 24665 of 2015 and 23699 of 2015 as there is no eye witness of the occurrence and the petitioner is suffering in custody since 09.09.2015.

Learned APP fairly submits that two co-accused have been allowed bail.

In the facts and circumstances stated above, 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 Sri Ashok Kumar II, J. M. Ist Class, Udakishunganj, Madhepura in connection with Chousa P.S. Case No. 144 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 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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