

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31104 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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Sethi Singh @ Rupak Singh @ Rupesh Singh, son of Bijay Shankar Singh
@ Bijay Singh, resident of village- Jaitpur, P.S. Barhaiya, District-
Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nilesh Kumar, Advocate

For the Opposite Party : Mr. Sri Uma Shankar Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Barahiya
P.S Case No. 03 of 2016 registered for the offences punishable
under Sections 386/387/307/34/ 120B of the Indian Penal Code
and Section 27 of Arms Act.

Allegedly, 4-5 persons entered into the room and
directed to stop the work and further they opened fire which hit
Shivnandan Thakur in his legs and thigh and demanded Rs.
4,00000/- (four lakhs) as ransom. It is alleged that the petitioner
and others are indulged in such activities.

Submission is of false implication and that the
petitioner is in custody since 13.01.2016, but he has not been put
on T.I.P., no witness has come to say during investigation that he
has seen the petitioner at the time of occurrence, near the place of

occurrence or after the occurrence and without any legal and cogent material, the petitioner is suffering in custody. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The petitioner is being made victim of police atrocities, resulting, he has been implicated in other cases also.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, arising out of Barahiya P.S. Case No. 03 of 2016, subject to the conditions that one of the bailors must be 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.)

Rajiv/-

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