

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51010 of 2016

Arising Out of PS.Case No. -159 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

=====

1. Sudhir Kumar Singh @ Munna Singh, son of Ugra Narayan Singh,
resident of Village- Ashopur, P.S.- Piprahi, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
26.08.2016 in connection with Majorganj P.S.Case No. 159 of
2016, G.R. No. 1889 of 2016 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code and 27 of Arms
Act.

The prosecution case as lodged by the informant,
who was working in M.S. Lakshman Company is that on the
alleged date of occurrence, three miscreants came there and
asked about Munshi and when Munshi Dharmvir Singh came
there, they fired upon him, resultantly Munshi Dharmvir Singh
succumbed to injuries and a paper was stuck there in which



responsibility was taken by one “ Kshtriya Organization Fauj” and spokes person named as Raj Singh.

It has been submitted by the learned counsel for the petitioner that he is innocent belongs to different District and has no concern with the alleged offence. He further submits that only on the confessional statement of one Prem Ranjan Singh his name surfaced which has no evidentiary value in the eye of law and he has no connection with the said Organization. He further submits that he has no criminal history and charge sheet has already been submitted against him, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the Organization so formed, used to take levies from the contractors and the alleged occurrence has been also corroborated by the local villagers, hence, opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties and that the petitioner has no criminal history and charge sheet has already been submitted against the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sub – Divisional Judicial Magistrate, 1st, Sitamarhi in connection



with Majorganj P. S. Case No. 159 of 2016, G.R. No. 1889 of 2016 with condition that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear in the learned Court below as and when required.

With these observations and directions, this bail application is allowed.

,

(Nilu Agrawal, J)

Sudha/-

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

