

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10026 of 2016

Arising Out of PS.Case No. -773 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Rikki Singh @ Rikky Singh Son of Shiv Shanker Singh R/o Basant Bihar,
Mewalal Chowk, P.S.- Maranga (K. Hat), District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 12-04-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with K. Hat
(Maranga) P.S. Case No. 773 of 2015 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the petitioner was looking after the property
and affair of the deceased Yogendra Prasad Mandal for the last ten
years and Ankur @ Ashish the nephew of the informant informed
her that uncle Yogendra Prasad Mandal has been killed and
accordingly, it is alleged that the petitioner and co-accused have
killed the husband of the informant.

Submission is of false implication and that during
investigation, the witnesses vide para 7 and 8 have stated that for
last 4-5 months Ankur @ Ashish, the nephew of the deceased was
residing with him and this fact has been suppressed in the First
Information Report, by killing the deceased the petitioner is not

going to be benefited as he is not the heir of the deceased and besides suspicion there is nothing against the petitioner and further it has come during investigation that the deceased was habitual drinker and he used to assault his wife (informant) resulting the informant was not living with him and, as such, the petitioner who is suffering in custody without any legal and tangible material since 25.12.2015, deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 the learned C.J.M., Purnea in connection with K. Hat (Maranga) P.S. Case No. 773 of 2015 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)

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