

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47693 of 2015

Arising Out of PS.Case No. -256 Year- 2014 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Vinay Narayan Singh @ Vinay Narain Singh son of Late Daroga Singh
resident of village - Nawada, P.S. - Kotwa, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. A.L.Pandit(App)

=====

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

3 13-01-2016

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

The petitioner seeks bail in connection with Kotwa
P.S. Case No. 256 of 2014 registered for the offences punishable
under Sections 341, 109, 302, and 34 of the Indian Penal Code.

Allegedly, the father of the informant was shot dead
and the mother who was present there stated the name of the
petitioner and others that they after shooting have fled away and
further, other co-accused were instigating them. During
investigation the wife of the deceased and one Shivam Kumar, the
son of the informant being the eye witnesses vide paragraphs 6
and 7 have stated that assailant was Munna Singh, and the
petitioner has only stopped the deceased and instigated.

Submission is of false implication that the informant

is not the eye witness of the occurrence, against the petitioner during investigation only it has come that he was an order giver and stopped the deceased co-accused Bablu Singh, has been granted bail vide Criminal Miscellaneous Case No. 16673 of 2015 and the petitioner is suffering in custody since 28.12.2014 and, as such, he deserves sympathetic consideration to which learned A.P.P. opposes.

In the facts and circumstances stated above, considering that assailant is co-accused Munna Singh, and not the petitioner and, as such, the petitioner 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 Ad-hoc 1st Additional Sessions Judge, East Champaran, Motihari in connection with Kotwa P.S. Case No. 256 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)

siddharth/-

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