

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10300 of 2016

Arising Out of PS.Case No. -322 Year- 2015 Thana -PIRO District- BHOJPUR

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1. Biki Kumar @ Viki Kumar Singh @ Biki Singh Son of Dhananjay Singh,
Resident of Village- Sirisiya, P.S.- Barahara, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy(App)

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

3 18-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Piro P.S.
Case No. 322 of 2015 registered for the offences punishable under
Sections 302 and 201/34 of the Indian Penal Code.

The petitioner is not named in the First Information
Report but later on during investigation on 05.10.2015 witness
Krishna Singh stated the name of petitioner and other co-accused
that they were assaulting the deceased Ashok Singh with
allegation that he has stolen away the mobile.

Submission is of false implication and that First
Information Report was lodged on 07.09.2015 and after 28 days
witness Krishna Singh due to enmity, implicated the petitioner and
others, besides that there is no legal and tangible material against

the petitioner, in this case similarly situated co-accused Prince Rai has already been allowed bail vide Cri. Misc. No. 57589 of 2015 and, as such, the petitioner having no criminal antecedent, also deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that co-accused Prince Rai has been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also 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., Bhojpur at Ara in connection with Piro P.S. Case No. 322 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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