

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42426 of 2016

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1. Ramanuj Singh S/o Late Rajo Singh Resident of village - Chowar, P.S.
Wazirganj (Tankupa OP), District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Chaubey Jawahar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 22-11-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 18.07.2016 in connection with a case registered for the offences punishable under Sections 364/34 of the Indian Penal Code and Section 302/201/120B/34 of the Indian Penal Code has been subsequently added.

Learned counsel for the petitioner submits that though the petitioner was named in the First Information Report the other accused persons who participated in the trial have now been acquitted of the charges. There is no specific allegation against the present petitioner and he is father of one of the accused persons namely, Amresh Kumar and the said Amresh Kumar is also one of the persons who have been acquitted in Session Trial No. 01 of 2015/Trial No. 01/2015. He further submits that the present petitioner is also facing trial in Sessions Trial No. 440 of



2016 which is going on in the Court of A.D.J.-II, Nawada. It is submitted that the informant has already deposed in connection with the present case and he has failed to identify the present petitioner during the course of the trial. The deposition of the informant in Sessions Trial No. 440 of 2016 as well as trial Court judgment have been brought on record in this application by means of supplementary affidavit.

Learned counsel for the State has, however, seriously opposed the application and submitted that the application for anticipatory bail have been rejected by this Court earlier and the Supreme Court has also rejected the prayer of the petitioner for grant of anticipatory bail. It is only thereafter that the present petitioner surrendered in the Court below. Taking into consideration his conduct in the past, the petitioner is not entitled to the privilege of regular bail also. He also refers to several paragraphs of the case diary where several witnesses have uttered against the petitioner.

Considering the entire facts and circumstances of the case and considering the deposition that the main accused persons are said to have taken away the petitioner from Dumka onwards whereafter the victim disappeared and that all the accused persons have now been acquitted, except the present petitioner and the

informant of the present case has failed to identify the present petitioner, let the petitioner abovenamed be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Nawada in connection with Nawada (Town) P.S. Case No. 112/2013.

Let the supplementary affidavit so filed be kept on record.

(Anjana Mishra, J)

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