

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49470 of 2015

Arising Out of PS.Case No. -76 Year- 2006 Thana -MATIHANI District- BEGUSARAI

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1. Mantoon Singh Son of late Deoki Singh resident of Village- Ramdiri
(mahaji tola) Bhawananadpur ,P.s Matihani District , Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

For the Opposite Party/s : Mr. Md.Fahmuddin (App)

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

ORAL ORDER

3 03-02-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 387, 147, 148, 149, 302, 34 and 120 (B) of the I.P.C and section 27 of the Arms Act.

Allegedly, the husband of the informant was being chased by the petitioner and co-accused Chandan Singh being armed with the pistol and thereafter other co-accused also came and surrounded the husband of the informant then the co-accused Babloo Singh shot the husband of the informant resulting he fell down and thereafter all opened fire upon him. The motive behind the occurrence has been alleged that co-accused Sunil Singh and Chandan Singh were demanding Rs. 50,000/- from the husband of the informant and due to non payment he was shot.

Submission is of false implication and that the petitioner was not aware regarding this case, as soon as he came to know he has voluntarily surrendered on 16.07.2015 and since then he is in custody, there is land dispute between Pramod Singh and the deceased and this petitioner being well wisher of Pramod Singh has been implicated due to that reason, there is no eye witness to the occurrence except the informant and in this case other co-accused Naresh Singh, Pramod Singh, Upendra Singh and Chandradeo Singh have been allowed bail.

The learned A.P.P. opposes prayer for bail by submitting that this is a case of the year 2006 and after nine years the petitioner surrendered and further the petitioner has got criminal antecedent also.

In the facts and circumstances as stated above, considering the period of long abscondance, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Matihani P.S. Case No. 76 of 2006/ G.R. No. 1975 of 2006 pending in the court of Sri Shri Prakash, J.M. 1st Class, Begusarai.

However, the petitioner may renew his prayer for bail after four months.

(Jitendra Mohan Sharma, J)

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