

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7331 of 2016

Arising Out of PS.Case No. -790 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Harendra Baitha @ Harindra Baitha, R/v Khairvi, P.S. Bathnaha, Distt. Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 790 of 2015 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The present case has been lodged against unknown persons and during investigation the name of the petitioner transpired in the confessional statement of co-accused Ajay Singh and Lokesh Kumar Singh as one of the participants in the alleged occurrence and further Ashok Singh also confessed his guilt disclosing the name of his associates.

Submission is of false implication and that Lokesh Kumar Singh has already been allowed regular bail vide Cri. Misc.

No. 2720 of 2016 and co-accused Jai Prakash Agrawal and Ashok Singh have been allowed pre-arrest bail vide Cri. Misc. Nos. 3311/16 and 3493/16 by another co-ordinate Benches of this Court and the petitioner suffering in custody since 08.01.2016, deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused Lokesh Kumar Singh has been allowed regular bail whereas, two co-accused have been allowed pre-arrest 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., Sitamarhi in Sitamarhi P.S. Case No. 790 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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