

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19863 of 2016

Arising Out of PS.Case No. -296 Year- 2015 Thana -DARAUNDA District- SIWAN

Janak Singh, son of Madho Singh, resident of Village Ramgarha, P.S.
Daraundha, District Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 14-07-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Darauda
P.S. Case No. 296 of 2015, registered under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 13.11.2015 father of
the informant was sleeping on the *Dalan* and informant was
sleeping in his house. In the mid night, the informant heard the
sound of firing, when he went to his *Dalan* and then he saw his
father was sustained fire arm injury, who disclosed the name of
the petitioner as assailant. The informant identified the petitioner
in fleeing condition having pistol in his hand, while rest four
accused persons could not be identified by him.

Learned counsel for the petitioner submits that, in

fact, the petitioner is *pattidar* and next door neighbour of the informant and he has falsely been implicated in this case due to dispute of election. In course of investigation, only informant, his wife and son have been examined, who claimed to reach at the place of occurrence on hearing the sound of firing and seeing four persons fled away, out of which petitioner was identified by them. Further submission is that, in fact, father of the informant murdered by different person and this petitioner has falsely been implicated in this case. The petitioner is accused in Daronda P.S. Case No. 271 of 2014, but he is on bail in that case and in the present case, Chargesheet has already been submitted. The petitioner is in custody since 15.11.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 296 of 2015

(Rajendra Kumar Mishra, J.)

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