

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57738 of 2015

Arising Out of PS.Case No. -405 Year- 2004 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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Upendra Singh s/o Late Jhulan Singh r/o vill.- Birju Bigha, P.S.- Silao,
District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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

2 27-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Silao
P.S. Case No. 405 of 2004 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Allegedly, co-accused Manish Singh shot the
daughter-in-law of the informant causing her death and the
petitioner and other co-accused were there with co-accused
Manish Singh.

Submission is of false implication and that police
after completing investigation found the petitioner innocent and
accordingly he was not sent up for trial vide charge-sheet no. 57 of

2006. However, cognizance was taken against the petitioner resulting, he is suffering in custody since 07.08.2015.

Learned A.P.P. fairly submits that the petitioner was not sent up for trial.

In the facts and circumstances stated above, the petitioner is 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 Court of 3rd A.D.J. , Nalanda, in S.Tr. No. 320 of 2010 arising out of Silao P.S. Case No. 405 of 2004, 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)

siddharth/-

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