

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5178 of 2017

Arising Out of PS.Case No. -228 Year- 2013 Thana -KATEYA District- GOPALGANJ

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Chhote Lal Singh son of Late Ramdhari Singh, resident of Village- Niamat
Gunao, P.S. Kateya, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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

ORAL ORDER

2 10-03-2017 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341 and 302 of the I.P.C
and section 27 of the Arms Act.

Allegedly, after stopping the bus the petitioner and
other co-accused entered into the bus and the petitioner pressed
the neck of father of the informant and thereafter co-accused
Haribans Singh shot the father of the informant. Motilal Singh
assaulted with knife and after opening fire the miscreants fled
away towards Samara on motorcycles.

Submission is of false implication and that all the
family members have been implicated in this case due to ulterior



motive, against the petitioner allegation is to press the neck of father of the informant but in the postmortem report no injury has been found on the neck of father of the informant and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 30.07.2016.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail of the petitioner by submitting that it was the petitioner who first attacked on the father of the informant and thereafter he was shot and with common intention all have entered into the bus to kill the father of the informant and as such the petitioner does not deserve bail. Further, he has been arrested after long lapse of time in the light of the direction given by this Court.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gopalganj in Kateya P.S. Case No 228 of 2013, subject to the conditions that one of the bailors must be a 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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