

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15576 of 2017

Arising Out of PS.Case No. -482 Year- 2016 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Rishi Raj, Son of Sri Sunil Kumar Singh, resident of Village Rahatpur,
P.S. Balia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Nilesh Kumar, Advocate
Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Smt Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.02.2017 in connection with Begusarai Muffasil (Lakho)
P.S.Case No. 482 of 2016 registered for the offence punishable
under Sections 302/379/34 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case is that named accused, Mannu
Singh along with other eight accused on the motorcycles came in
the fertilizer go-down and started abusing informant's brother and
asked about the informant, upon objection accused Mannu Singh
fired by his pistol on Kamalkant(brother of the informant) and



opened indiscriminate firing for which Kamalkant Kumar and Sanjeev Kumar sustained injury and during treatment the brother of the informant, Kamalkant succumbed to his injury..

It has been submitted by the learned counsel for the petitioner that he is not named in the F.I.R. but on the confessional statement of co-accused, Akhilesh Singh, he has been made accused. It has further been submitted that the allegation of making gun firing is upon Mannu Singh only and the petitioner has been implicated on the basis of suspicion and no overt act has been alleged to have been committed by the petitioner. .

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufasil (Lakho) P. S. Case No. 482 of 2016, subject to the condition that one of the bailor shall be a close relative and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear before the learned Court



below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond. This is further subject to a condition that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Nilu Agrawal, J)

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