

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8645 of 2017

Arising Out of PS.Case No. -544 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sunil Singh son of Bhagat Singh, Resident of Village- Sarisawa, P.S.-
Harsiddhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Shantanu Kumar

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 26.04.2017 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this court but submission on behalf of the petitioner is that the petitioner was not sent up for trial but learned court below took cognizance of the offences against the petitioner also. However, those co-accused, who were not sent up for trial, were granted either anticipatory bail or regular bail by the coordinate benches of this court which is evident from perusal of order dated 5.1.2016 passed in Cr. Misc. no. 13949/2015 as it has been observed in the aforesaid order that co-accused Deva Gupta was granted anticipatory bail by a coordinate bench of this court.

There is omnibus allegation against the petitioner and other FIR named accused persons that they made indiscriminate firings causing death of two persons and injuring two other persons. The



learned trial court reports that out of 12 proposed prosecution witnesses, six prosecution witnesses have already been examined.

Learned counsel for the petitioner submits that petitioner is in jail custody since 28.8.2014 whereas having similar allegation, some co-accused are enjoying the privilege of bail.

Considering the aforesaid facts and circumstances as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge IX, East Champaran at Motihari in Sessions trial no. 277/2016 arising out of Motihari Nagar P.S. Case no. 544/2014 subject to conditions that he shall not temper with the prosecution witnesses and shall make present himself before trial court on each and every date for the period of six months and any failure to comply with the above stated conditions shall give liberty to learned trial court to cancel the bail bonds of the petitioner.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--

