

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17085 of 2017

Arising Out of PS.Case No. -147 Year- 2013 Thana -SAHKUND District- BHAGALPUR

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Nilendu Kumar Singh @ Nilendu Singh Son of Sachidanand Singh,
Resident of Village- Kishanpur, P.S. Sahkund, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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

ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and learned APP
representing the State.

The petitioner seeks bail in connection with Shahkund P.S.
Case No. 147 of 2013 registered for the offences punishable under
Sections 324, 302/34 of the Indian Penal Code.

Allegedly, to grab the land of the father of the informant the
petitioner and other FIR named accused persons killed the father of the
informant and the villagers have seen the occurrence.

Submission is of false implication and that the petitioner is in
custody sine 23.02.2017, chargesheet has already been submitted and
there is no chance of tampering with the prosecution evidence. During
investigation the witnesses have not made any specific allegation
against the petitioner rather they have given omnibus and general
allegation that the petitioner and others pulled the deceased in the
courtyard and thereafter sound of firing was heard and in this case



similarly situated co-accused Rekha Devi, Sikandar Singh have been allowed regular bail whereas Sumitra Devi has been allowed anticipatory bail by the co-ordinate Benches of this Court vide annexure 3 series. The informant is not an eye witness and the post mortem report does not support the prosecution version and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail but is not in a position to distinguish the case of the petitioner from that of Sikandar Singh.

In the facts and circumstances stated above, the petitioner above named 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 S.D.J.M., Bhagalpur in connection with Shahkund P.S. Case No. 147 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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