

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9167 of 2017

Arising Out of PS.Case No. -18 Year- 2016 Thana -BHOJPUR GRP CASE District- BHOJPUR

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Ravi Kumar Singh, son of Guru Dayal Singh, resident of Village - Dheka,
Police Station - Krishna Braham, District - Buxar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Dwivedi, Advocate
For the Informant : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Buxar Rail P.S.Case No. 18 of 2016 registered for the offences
punishable under Section 302 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
on perusal of FIR it is evident that there is interpolation in the FIR
that name of the petitioner has been inserted in the FIR. It has
further been submitted that police finding case not true during the
course of investigation under Section 302 IPC has submitted
charge-sheet in this case under Section 306 IPC and petitioner is in
custody for about two months.

Heard learned APP and learned counsel for the
informant.



Learned counsel for the informant has vehemently opposed the prayer for bail stating that petitioner was also present at the time of occurrence and there was talk going on between the petitioner, which will appear from CDR and the deceased from earlier and deceased was called by the petitioner.

Having heard both sides and considering the fact that except suspicion there is nothing against the petitioner and at best, it shows that there was some intimacy between the deceased and the petitioner and charge-sheet has been submitted under Section 306 IPC in this case and petitioner has remained in custody for two months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Ara, in connection with Buxar Rail P.S.Case No. 18 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court and other should be a Government servant of the area.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of



trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without obtaining permission of the court below, the bail bond of the petitioner shall automatically be cancelled.

(Vinod Kumar Sinha, J)

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