

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20209 of 2017

Arising Out of PS.Case No. -332 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

Hari Narayan Singh Son of late Bhuri Singh Resident of Village- Barhupar,
P.S. Mohania, District- Kaimur(Bhabhua)..... Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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

ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Mohania
P.S. Case No. 332 of 2016 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other accused persons tied
the hands and legs of the father of the informant with rope and
killed him after sitting on his chest and pressing his neck.

Submission is of false implication and that the informant
is not the eye witness of the occurrence, no one has seen the
occurrence and only due to land dispute the petitioner has been
implicated. The doctor has not found any injury of strangulation in
the post mortem report. Similarly situated co-accused Prem
Shankar Singh has been allowed bail by another co-ordinate
Bench of this Court vide Cr. Misc. No. 14254 of 2017, the



petitioner is suffering in custody since 26.01.2017 and as such the petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 332 of 2016, 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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