

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34615 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Rajesh Singh Son of Chandeshwar Singh, R/o Village- Hashanpur, P.S.-
Pipra, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-09-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Pipra P.S. Case
No. 46 of 2017 for offences punishable under Sections 387, 120-
B, 504, 506 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he received a call from mobile No. 7761855825 by which
threatening was given to withdraw the case, which was lodged
after the informant's father and brother were killed. The
threatening was given that if the case is not withdrawn then the
entire family and brother-in-law will be killed. The caller
disclosed his name as Rajesh Singh, the petitioner.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and one case bearing Pipra P.S. Case No. 10 of 2017 has been lodged by the informant's side, in which the petitioner is a witness. He submits that in two other cases, in which he is involved, relates to family dispute matter and that the mobile number by which threatening was given to the informant, was in the name of Kamlesh Kumar and not the petitioner. He submits that because of inimical terms, the petitioner has been made accused. Petitioner is languishing in judicial custody since 04.05.2017.

However, learned counsel for the informant vehemently opposes the prayer for bail stating therein that earlier his father and brother has been killed and the petitioner is under custody and has threatened of dire consequences from the jail premises and that one of the co-accused Kunal Singh has already escaped from the hajat and, as such, his life is also endangered.

However, learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on



bail **after completion of six months custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra P.S. Case No. 46 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will mark his attendance before the concerned police station within the first week of every month. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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