

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30323 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Ram Babu Singh, Son of Late Bishwanath Singh, resident of Village-Bishnupur Ahok, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 06-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 24.01.2017 in connection with Sahebpur Kamal P.S. Case No. 17 of 2017, G.R. No. 223 of 2017 for offences punishable under Sections 201, 302, 120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the son of his cousin brother-in-law Karelal Singh (deceased), who was sleeping at the door of the petitioner since last two months, has been killed by four co-accused named in the First Information Report including the petitioner and the dead body has been cut to pieces and part of it has been thrown in Gandak river.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, the deceased was himself a veteran criminal and was on inimical terms with the rival criminal group, who must have killed and disposed of his dead body. He submits that simply because the deceased was sleeping at his door for the last two months, he has been made accused. He further submits that the petitioner is 70 year old person, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, counsel for the informant submits that the blood stains were found on the bed where the deceased was sleeping outside the house of the petitioner, hence, opposes the prayer for bail.

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 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Vth, Begusarai, in connection



with Sahebpur Kamal P.S. Case No. 17 of 2017, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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