

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55967 of 2017

Arising Out of PS.Case No. -331 Year- 2017 Thana -ARA NAWADA District- BHOJPUR

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1. PRASHANT KUMAR SINGH @ BHOLU SINGH @ BHOLU, Son of Achaldev Singh. resident of Mohallah- Gandhi Nagar East Gate, Maharaja Hatta, P.S.- Ara Town, District- Bhojpur at Ara (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 12-12-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Ara Nawada P.S. Case No. 331 of 2017 for offences punishable under Sections 302, 120-B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while her husband, who worked as a contractor, had gone out of the house she got a telephonic message from the mobile of her husband that her husband is in the hospital. The person informing the informant disclosed his name as Deoraj Ojha and while in the hospital the informant's husband died due to bullet injury. The



motive behind the alleged occurrence was that the petitioner worked as contractor along with the informant's husband and there was certain dues, which had to be paid by the petitioner and it is alleged that the petitioner had shot the husband of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, said Deoraj Ojha did not disclose the name of the petitioner before the informant, but in his statement before the police and in his statement under Section 164 Cr.P.C he has stated that the petitioner along with three more persons had been at the place of occurrence and there was some verbal fight with the informant's husband. He submits that except suspicion there is no eye-witness to the alleged occurrence and the petitioner is languishing in judicial custody since 21.08.2017. He submits that other accused persons have been granted pre-arrest bail by this Court and charge-sheet has already been submitted.

However, learned APP for the State 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



Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Nawada P.S. Case No. 331 of 2017, subject to the conditions that both the bailors would be a close relative of the petitioner having sufficient immovable property, 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)

Rajesh/-

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