

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55550 of 2017

Arising Out of PS.Case No. -242 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

=====

1. Rajesh Singh S/o Mahesh Singh, R/v Dumdum, P.S.- Bhabua, Distt.- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 24-11-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhabua P. S. Case No. 242 of 2017 registered for offences punishable under Sections 302, 34 of the Indian Penal Code and 27 Arms Act.

It is alleged in the written report that this petitioner along with his son Manish Patel @ Alok Patel were returning to the village. They reached near house of Jai Govind Singh at 11 A.M., then Jai Govind Singh and Rajesh Singh, started talking with son of informant. In course of talking, Jai Govind Singh fired from his Katta, causing injury in the stomach of son of informant, who subsequently died.



Submission of the learned counsel for the petitioner is that there is no specific allegation of committing any overt act against the petitioner.

From the written report, it appears that there is specific allegation of firing with Katta against Jai Govind Singh. Learned counsel for the petitioner further submits that the Post mortem report reveals only one injury on the person of deceased.

. In the facts and circumstances as stated above, the petitioner, Rajesh Singh in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on anticipatory bail on furnishing bail bonds 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 Bhabua P.S.Case No. 242 of 2017, subject to the conditions as laid down in Section 438 (2) of the Cr.P.C. with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to
move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

Sudha/-

U			
---	--	--	--

