

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34061 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Rupesh Kumar Singh @ Shiva Son of Kamlesh Singh, Resident of
Village- Katariya, P.S.- Agion Bazar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
25.11.2016 in connection with Bikramganj P.S. Case No. 201 of
2016 for offences punishable under Sections 302, 201 and 120-
B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her husband was doing business and used to come at his
village around 7-8 pm. In the night on the alleged date of
occurrence, when he did not come till 9.00 pm, she started
searching and later on got information that a dead body has been
recovered by the police in the water near the bridge. It has been
alleged that one Navratn, who was a sales-man in her husband's



shop, few days back there was some dispute regarding missing of Rs. 2,00,000/- for which the said accused Navratn had threatened of dire consequences.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and his name surfaced only during investigation and on the extra judicial confession before the police, which has no evidentiary value in the eye of law. He submits that one of the co-accused has been granted privilege of bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 21333 of 2017 on 20.06.2017 on similar allegations. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and his name was disclosed by one of the witnesses who had seen the petitioner moving with knife with other accused persons hence, the petitioner has been falsely implicated on suspicion.

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

Considering the facts and circumstances and the materials on record and that since the petitioner has been made accused on the basis of suspicion as well as his confessional statement made before the police, 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 Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 201 of 2016 subject to the condition that one of the bailors would be a close relative of 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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