

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36438 of 2017**

Arising Out of PS.Case No. -39 Year- 2017 Thana -JAMUI District- JAMUI

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Ashu Singh, Son of Girish Kumar Singh @ Girish Singh, R/o Village-  
Bhajaur, P.S.- Jamui, District - Jamui.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate  
Mr. Amresh Kumar Sinha, Advocate  
For the State : Mr. Ram Priya Sharan Singh, APP  
For the Informant : Mr. Pramod Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      21-09-2017                      Heard learned senior counsel for the petitioner and  
learned APP for the State.

2. The petitioner is in custody since 12.02.2017 in connection with Jamui P.S. Case No. 39 of 2017 for the offences alleged under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and there is no eye-witness to the alleged occurrence. It is submitted that the petitioner was not seen in the company of the deceased and it was co-accused Chandan Kumar Singh who is said to have taken the deceased.

4. Learned APP assisted by learned counsel for the informant opposes the bail petition and submits that it is a case of planned murder and contract killing. The statement of co-accused Chandan Kumar Singh has been recorded before the police that the petitioner had fired upon the deceased. The bail petition of co-accused Chandan Kumar Singh has been rejected by this Court in Cr. Misc. No. 20961 of 2017.



5. A perusal of the case diary provides details of the whereabouts of accused persons, namely, Rocky Singh and Sanjeev Kumar Singh near the place of occurrence but, however, there is nothing to indicate that the petitioner was also present on that location.

6. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 39 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Vikash Jain, J)**

B.T/-

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