

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50899 of 2017

Arising Out of PS. Case No.-350 Year-2006 Thana- SITAMARHI District- Sitamarhi

Mohan Singh, S/o Narayan Singh, Resident of Village- Ram Nagara
(Chauvanipatti), P.S.- Riga, District- Sitamarhi. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 09-11-2017 Heard Mr. Thakur for the petitioner. No one has appeared
on behalf of the State.

Prayer is for grant of bail in Sitamarhi P.S. Case No. 350
of 2006 registered under sections 302, 120B/34 of the Indian
Penal Code.

The F.I.R. was lodged suspecting the hand of the petitioner
and few others in the commission of murder of the father. The
police, on conclusion of investigation, submitted the final form.
The Court, differing with the report, took cognizance in the year
2016. The petitioner moved an application for anticipatory bail
and after the same was declined, he surrendered and prayed for
bail which was rejected under the impugned order.

Learned counsel, referring to the order dated 29.3.2017
passed in Cr. Misc. No. 12578 of 2017(placed at page 14),
submits that considering the peculiar facts of the case, three



accused persons have been granted bail. Petitioner has no criminal antecedent. He is languishing in custody since 28.8.2017 and has no criminal antecedent.

Let the petitioner abovenamed be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 350 of 2006 subject to the following conditions:-

- (i) One of the bailers shall be the own/close family members of the petitioner.
- (ii) In the event of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the bail bond of the petitioner shall be cancelled and thereafter the Trial Court will be at liberty to secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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