

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2439 of 2017

Arising Out of PS.Case No. -70 Year- 2009 Thana -PARBATTa District- BHAGALPUR

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Arun Singh, Son of Late Ram Deo Singh, resident of Village- Sandiha, P.S.
Pasraha, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Parbatta
P.S. Case No.70 of 2009 registered under Sections 324, 307 and
302/34 of the Indian Penal Code.

The allegation of the informant Mahesh Kumar
Mandal is that Sunil Singh, Sanjeev Singh and Babloo Singh alias
Rajeev Ranjan took Rs.1,10,000/- from him for fixing the Tata
Indicom and Vodaphone Tower but the same was not installed.
When the informant made demand of money then they threatened
the informant. In that course, Arun Singh (petitioner), alongwith
Shashi Mandal, Jichho, Vibhuti Singh Guddu Yadav and Gholtan



Yadav used to visit the house of the informant posing themselves either Engineer or Contractor. On 07.06.2009, Babloo Singh alias Rajeev Ranjan took him to his house in the night and gave money. While the informant asked him that in the late night he will not take the money but Babloo Singh alias Rajeev Ranjan gave Rs.25000/- to him forcibly and, thereafter, both proceeded. In the way, Babloo Singh alias Rajeev Ranjan started to scuffle with the informant and his four men, snatched the money from the informant and caused injury to him through knife. Two laides, who were also present there, were also murdered by slitting their neck.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the allegation against the petitioner and four others has been made that they used to visit the house of the informant imposing themselves either as Engineer or Contractor and no specific overt act has been attributed to the petitioner. It has further been submitted that the similarly situated co-accused Shashi Mandal vide order dated 06.08.2010 passed in Criminal Misc. No.21621 of 2010 and Guddu Yadav and Gholtan Yadav vide order dated 08.02.2013 passed in Criminal Misc. No.44027 of 2012 have already been granted bail by different Benches of this Court. The petitioner



having no criminal antecedent is in custody since 16.11.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Naugachia, Bhagalpur, in connection with Parbatta P.S. Case No.70 of 2009.

(Rajendra Kumar Mishra, J)

P.S./-

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