

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31006 of 2017

Arising Out of PS.Case No. -267 Year- 2015 Thana -SAHPUR District- BHOJPUR

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Bhikham Pal Son of Late Shiv Mohar Pal Resident of village Bankat, P.S.-
Shahpur, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 08-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Shahpur P.S.
Case No. 267 of 2015 corresponding to the G.R. No. 4334 of 2015
for offences punishable under Sections 302, 201, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that he received information that his younger sister and nephew
have both been killed. Thereafter he came to the matrimonial
house of his sister Shobha Devi (deceased) and was informed by
his another sister Raj Kumari Devi that husband co-accused Bilar
Yadav on being given the gun by the petitioner has killed his wife
and his son.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he is a co-villager an independent witness at para 41 of the case diary has stated that has not alleged any overt act by the petitioner and the petitioner was not even present at the place of occurrence. He submits that there was fight between husband Bilar Yadav and his wife (deceased). He submits that case has been found not true against him during investigation but cognizance has been taken and that he is in custody since 22.04.2017 and there is no direct or circumstantial evidence against him.

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

Considering the facts and circumstances and the materials on record, 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-XIV, Bhojpur at Arrah in connection with Shahpur P.S. Case No. 267 of 2015 corresponding to the G.R. No. 4334 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the



jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with 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)

Devendra/-

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