

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53405 of 2017

Arising Out of PS.Case No. -490 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Himanshu Singh @ Sardar Son of Sanjay Singh Resident of Village Jaitpur
Kala, P.S. Bhagwanpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Mohania P.S. Case No. 490 of 2017 dated 09.09.2017 instituted for the offences under Sections 302, 34, 307, 326 of the Indian Penal Code and Section 27 of the Arms Act. Subsequently Section 120B of the Indian Penal Code was also added.

The parents of the informant were murdered by named accused persons. From the narration made in the First Information Report, it appears that sister of one of the accused Dimple Singh had eloped with the brother of the informant. As a reaction to this, the parents of the informant were killed.

So far as petitioner is concerned, it is alleged that he was seen two days prior to the occurrence, taking meal



with the main accused of this case. The other allegation which has been garnered during the course of investigation is that he had talked to one of the accused on telephone, a day prior to the occurrence. The prosecution, therefore, alleges that petitioner was part of the conspiracy, whereby the parents of the informant were killed.

There is no material in the case diary to suggest that while the petitioner had meal with one of the accused persons two days prior to the occurrence, it was for the purpose of hatching the conspiracy.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 490 of 2017.

(Ashutosh Kumar, J)

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