

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14254 of 2017**

Arising Out of PS.Case No. -332 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

Prem Shankar Singh son of Hari Narayan Singh resident of Village -  
Barhupar, P.S. - Mohania, District - Kaimur (Bhabhua).

.... Petitioner/s

Versus

## The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Prakash Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

## ORAL ORDER

3 27-04-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

### The Petitioner seeks bail in Mohania P.S. Case

No. 332 of 2016 instituted for the offence under Section(s) 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that earlier the prayer for bail of the petitioner was rejected by this Court vide Cr. Misc. No. 49140 of 2016 on 17.01.2017 with liberty to the petitioner to renew his prayer for bail before the Sessions Judge after submission of charge-sheet.

It has been submitted on behalf of the petitioner that cause of death as shown in the postmortem report is due to hemorrhage and shock and also due to injury on the right lung leading to C.R. failure.



In the written report, it is alleged that on the date of occurrence, the petitioner and other accused persons tied the hands and legs of father of the informant with rope and murdered him after sitting over his chest and pressing the neck.

It has been submitted on behalf of the petitioner that investigation has now been completed. The doctor has not found any injury of strangulation in the postmortem report. It has further been submitted that petitioner is own uncle of the informant and there is land dispute between the parties.

The petitioner is said to be in custody since 30.09.2016.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of 1<sup>st</sup> Additional Sessions Judge, Kaimur at Bhabua in connection with Mohania P.S. Case No. 332 of 2016, Sessions Trial No. 53 of 2017, subject to the conditions that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

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