

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1439 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

=====

Niranjan Kumar Singh, Son of Baidyanath Singh, resident of Village-
Haraj Nurullahpur, P.S.- Shikarganj, District- East Champaran.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-07-2017 Appellant is in custody since 07.02.2017, seeks bail in connection with Pakaridyal P.S. Case No. 7/2017 registered for offences punishable under sections 302, 326, 307, 458, 120B of the Indian Penal Code, section 27 of the Arms Act and section(s) 3(2), (v)A of the SC/ST Act.

The appellant is not named in the FIR and later on, his name transpired on the basis of confessional statement of co-accused.

Submission of the learned counsel for the appellant is that except confessional statement of co-accused, there is nothing against the appellant, only material against the appellant is the C.D.R. in which, it is alleged that he is talking with the co-accused and now he is custody since 07.02.2017.



Heard the learned Special Public Prosecutor also.

Learned Special Public Prosecutor opposes the prayer of bail stating that the appellant was in touch with the main accused, Manoj Kumar, who is running an organisation and demanding *Rangdari* etc., however it is accepted that nothing is available in the case diary.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-SC/ST (POA) Act, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 7/2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the



court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

U		T	
---	--	---	--

