

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6377 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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Ram Sumiran Singh @ Ram Sumaran Singh S/o Hari Shankar Pd. Singh
Resident of Village-Barbatta Math, P.S. Musrigharari, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

The petitioner is languishing in judicial custody since
08-11-2016 in connection with N. H. Bangra Police Station
Case No. 100 of 2016 registered for the offences punishable under
Sections-115, 120(B), 414 of the Indian Penal Code and 25(i-
b)a/26/35 of the Arms Act.

The prosecution case as lodged by the informant is
based on the accusation that the petitioner along with others
conspired to kill one Laxmi Devi, the Mukhiya of Sarsauna Gram
Panchayat.

Learned counsel for the petitioner submits that he has
falsely been implicated in the aforesaid case due to dirty village
politics. It has been submitted that the petitioner was neither



conspirator nor recipient of any money for the alleged killing and he has been made accused only on the basis of confessional statement of co-accused Golden Kumar, which has no evidentiary value in the eye of law. He further submits that two of the alleged conspirators have since been granted privilege of bail on the ground of suspicion by a coordinate bench of this court vide order dated 16-01-2017 passed in Cr. Misc. No. 1401 of 2017 and the order dated 31-01-2017 passed in Cr. Misc. No. 2943 of 2017. He submits that no offence under Sections-115, 120(B), 414 of the Indian Penal Code or under any Sections of Arms Act is made out against him.

However, learned A.P.P. for the State submits that petitioner has been named by one of the co-accused and, hence opposes the prayer for bail.

Considering the facts and circumstances of the case and also the fact that other co-accused have already been granted privilege of bail, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with N.H. Bangra P.S. Case No. 100 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Samastipur.

(Nilu Agrawal, J)

A.K.V./-

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