

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32688 of 2017

Arising Out of PS.Case No. -99 Year- 2014 Thana -SAHKUND District- BHAGALPUR

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Premanand Singh @ Prem Kumar Son of Prakash Singh, Resident of
Village- Mohaddipur, P.S.- Kajraili, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.04.2017 in connection with Sajour (Shahkund) P.S. Case No.
99 of 2014 for offences punishable under Sections 302/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while her brother who was Mahanth of Ashram of
Paramhansh Jee was in his room accused Shatrughan Singh along
with Satish Singh and Prakash Singh with other named accused
persons came and assaulted the Mahanth with Dabiya and killed
him. Allegation upon the petitioner is that he was standing outside
the room. The cause of dispute was that the informant had given
all the money which she has received from her matrimonial house
to her Mahanth brother which was objected by her other brothers



and all the brothers including Shatrughan Singh and Prakash Singh wanted the share.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. The accused Shatrughan Singh and Prakash Singh who is alleged to have given Dabiya blow on the deceased has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 46305 of 2015 on 12.10.2015 and Cr. Misc. No. 13272 of 2016 on 10.05.2016, and other co-accused have also been granted privilege of bail by this Court in Cr. Misc. No. 17847 of 2017 on 11.04.2017 on similar allegations. He submits that no overt act has been committed by him and athat charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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 Chief Judicial Magistrate, Bhagalpur, in connection with Sajour (Shahkund) P.S. Case No. 99 of 2014, subject to the following



conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.
- (iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Nilu Agrawal, J)

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