

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39923 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Arun Singh @ Arun Kumar Singh Son of Late Lalbabu Singh, Resident of
Village-Dumrikala, Police Station-Majorganj, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
06.04.2017 in connection with Majorganj P.S. Case No. 159 of
2016 registered for the offence punishable under Sections 302/34
of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, who
was working in M.S. Lakshman Company, is that on the alleged
date of occurrence, three miscreants came there and asked about
Munshi and when Munshi Dharmvir Singh came there, they fired
upon him, resultantly Munshi Dharmvir Singh succumbed to the
injuries and a paper was stuck there in which responsibility was



taken by one “Kshtriya Organisation Fauj” and spokes person named as Raj Singh.

It has been submitted by the learned counsel for the petitioner that he is innocent and it is only on the basis of confessional statement of co-accused Prem Ranjan Singh before the police, which has no evidentiary valued in the eye of law, that his name surfaced and that he has no concern with the said organization. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He further submits that he is not named in the First Information Report and that co-accused have been granted the privilege of bail by this Court in Cr. Misc. No. 51010 of 2016 on 22.12.2016 and by a coordinate Bench of this Court in Cr. Misc. No. 49360 of 2016 on 10.01.2017.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as four cases are pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Majorganj P.S. Case No. 159 of 2016, subject to the condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear in the learned Court below, as and when required.

(Nilu Agrawal, J.)

Arjun/-

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