

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4940 of 2018

Arising Out of PS.Case No. -149 Year- 2017 Thana -RIVILGANJ District- SARAN

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1. Ram Bihari Singh S/o Late Bachcha Singh, R/o Village- Nayka Barka Baiju Tola, P.S.- Revilganj, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. R.B. Singh, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP-158

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioner and learned App for the State.

This is the second round of litigation. Earlier the prayer of the petitioner for grant of bail was rejected by this Court vide order dated 24.11.2017 in Cr. Misc. No. 49608 of 2017.

Petitioner is languishing in judicial custody since 17.06.2017 in connection with Sessions Trial No. 551 of 2017, arising out of Revilganj P.S. Case No. 149 of 2017 for offences 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 is that while his brother was at the shop, he heard sound of firing and petitioner was seen running away from the scene after giving gun



shot on the chest of his brother, who died on the spot. It is alleged that there was enmity between both sides as both were patidar and that there was some murder in the family of which the petitioner was pressurizing the informant side to withdraw the case.

It has been submitted by the learned counsel for the petitioner that he is innocent. He bears no criminal antecedent and that it is only that the petitioner was seen in a mob running and because of previous inimical terms, the petitioner has been made accused. He submits that there is no eye-witness to the alleged occurrence and charges have been framed. The petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the material on record as well as the undertaking of the petitioner, let the 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 Additional District and Sessions Judge 11th, Saran at Chapra in connection with Sessions Trial No. 551 of 2017 arising out of Revilganj P.S. Case No. 149 of 2017, subject to the condition that the petitioner will fully cooperate with the investigation and trial of the case, failing which



the bail bond of the petitioner shall stand cancelled by the learned court below.

(Nilu Agrawal, J)

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