

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37319 of 2018

Arising Out of PS.Case No. -1321 Year- 2015 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

=====

Amarjit Singh @ Amar Singh S/o Dhannu Singh, R/o Vill.- Niakagaon,
P.S.- Sasaram (Town), District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Anil Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections-302, 201, 120(B)/34 of the Indian Penal Code.

Firstly prayer for bail of the petitioner was rejected by this
court by order dated 18-10-2016 with a direction to the Court
below to take necessary steps to expedite the trial of the petitioner.
Secondly, bail application of the petitioner was also rejected by
order dated 10-05-2017 with a direction to the Court below to
conclude the trial, preferably within a period of one year from the
date of receipt/production of copy of this order.

Now, this is the third attempt for bail.

The report, so called for, has already been received, in which,



the trial Court has reported that the trial may be concluded in one year.

On behalf of the petitioner, it has been submitted that the petitioner is in custody since 02-04-2016. He has remained in custody for two years and four months. There is no possibility of the trial being concluded in the near future. There is no allegation of tampering alleged against the petitioner. It is a case of circumstantial evidence with allegation that the deceased was done to death due to illicit relation between the petitioner and wife of the deceased. In support of said allegation, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no chain of circumstances to show the illicit relation of petitioner with the wife of the deceased nor there any circumstantial evidence to suggest that the petitioner was seen by anyone at the place of occurrence. Contrary to the same, the witness in paragraph-37 of the case diary has stated that on the earlier occasion also, the deceased had attempted to commit suicide by consuming Salpas (poison). It is further submitted on behalf of the petitioner that it is a case of suicide. The postmortem report of the deceased did not indicate any external or internal injury on the body of the deceased except the strangulation mark, which was caused by hanging.



On behalf of the State, it is submitted that the petitioner is named in the F.I.R. It is a case of circumstantial evidence.

Considering the submissions made on behalf of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Sasaram, Rohtas in connection with Sasaram (Muffasil) P.S. Case No. 1321 of 2015 corresponding to Sessions Trial No. 376 of 2016.

(Sudhir Singh, J)

A.K.V./-

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

