

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52447 of 2017

Arising Out of PS.Case No. -368 Year- 2015 Thana -GOPALGANJ TOWN District- GOPALGANJ

1. Jai Prakash Singh S/o Dhruv Singh, R/o Village- Devapur P.S.- Barauli,
District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Giri, Advocate

For the Opposite Party/s : Mr. Binay Kumar Sahi, Advocate

For the State : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 307, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, co-accused Golden Kumar along with two unknown associates came to the office of the informant. The unknown person fired at the informant just to pressurize to execute the sale deed in respect of the referred land in favour of co-accused Golden Kumar.

Submission of the learned counsel for the petitioner is that none of the eye-witnesses claim to have identified the petitioner at the spot. Even the informant in his statement which was treated as dying declaration has not named this petitioner. The



petitioner is in custody since 06.05.2017 and trial is going on.

Learned counsel for the informant opposed the prayer for bail on the ground that in fact the petitioner was main shooter who was identified on the basis of CCTV coverage which was shown to the police after three months of the occurrence and the witnesses identified the petitioner as the person who was wearing strip shirt and was the shooter.

To counter the aforesaid submission, contention of the petitioner is that thereafter the petitioner was never put on TI Parade and CCTV footage is no authentic evidence unless proved during trial.

Considering the entire facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nagar Police Station Case No. 368 of 2015, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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