

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67014 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- RAJEPUR District- East Champaran

Chandan Singh Son of Amar Lal Singh Resident of Village-Kadma,P.S.
Rajepur,Distt.-East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 03-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Rajepur P.S. Case No. 68 of 2018 registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

Informant who is the widow of deceased has alleged in her written complaint that on 24.05.2018 at about 9:00 PM her husband received a call and thereafter told her that petitioner has called him in his village and he will be coming soon after conversation with him but he did not return and thereafter she went to the house of Chandan Singh alongwith his father in law and saw, 11 persons assembled there variously armed. She told that Chandan Singh has called her husband but



he has not returned and she was told that both had left the place half hour earlier and thereafter she returned back to her house alongwith her father in law. In morning, she came to know that her husband has been found murder and she apprehends that FIR named accused have killed her husband.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion, except suspicion, there is no other incriminating material against petitioner. Similarly placed co-accused, namely, Ram Ekballi Singh and Bacha Paswan have been granted bail by this Hon'ble Court vide order dated 28.09.2018 passed in Cr. Misc. No. 52579 of 2018 and order dated 26.11.2018 passed in Cr. Misc. No. 66994 of 2018. Petitioner has no criminal antecedent and he is in custody since 13.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, East Champaran at Motihari, in connection with Rajepur P.S. Case No. 68 of 2018 subject to the conditions that:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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