

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4951 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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Ram Dalip Singh @ Ram Dalip Yadav S/o Keshwar Singh @ Keshwar
Yadav, R/o Village- Ghorwachh, P.O.- Puhupi, P.S.- Dinara, District-
Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopal Pandey

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 02-02-2018

Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Dinara P.S. Case No. 93 of
2017 registered for the offence punishable under Sections
307/341 of the Indian Penal Code added Section 302 I.P.C.
and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
from the fardbeyan itself, it will appear that the dancer, who
had visited the village on that day to perform, was dancing
at the instance of certain people, and in course of dancing
she could not see as to whose shot hit her and proved fatal.

So far as this petitioner is concerned, although
his name has been there but there is no specific allegation
that his shot hit the victim. Learned counsel further submits
that co-accused Faggu Yadav against whom there is
identical allegation has been granted bail by a co-ordinate
Bench of this court in Cr. Misc. No. 57042/2017
considering his clean antecedent. This petitioner has also



got clean antecedent and therefore he may be granted the same privilege.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner. No distinction could be made out in the case of Faggu Yadav and this petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas, in connection with Dinara P.S. Case No. 93 of 2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure with further condition that petitioner will appear in course of trial as and when required by the trial court, two consecutive defaults, in putting appearance in trial, without there being any plausible reason, would invite cancellation of bail.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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