

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31264 of 2018

Arising Out of PS.Case No. -225 Year- 2013 Thana -BAJPATTI District- SITAMARHI

=====

Rajlal Singh Son of Ram Ekbal Singh Resident of Village- Hariharpur, P.S.
Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No.225 of 2013 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per the F.I.R., three unknown miscreants
committed murder of the brother of informant, who was a truck
driver.

It has been submitted that the present case has been
registered with false and frivolous allegation. The petitioner is
neither named in the F.I.R nor any incriminating article has been
recovered from his possession. The petitioner was arrested



merely on suspicion. It has been further submitted that after unloading potato, the driver of the truck was returning along with truck cleaner Sunil Kumar, who claims to be an eye witness but the said truck cleaner has not named this petitioner at the time of lodging F.I.R. The name of this petitioner has been disclosed by the said truck cleaner with ulterior motive after one month of the occurrence. Except disclosure of the name of petitioner, there is nothing against him. He is in custody since 12.03.2018 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned I/C S.D.J.M., Pupri, Sitamarhi in connection with Bajpatti P.S. Case No.225 of 2013 corresponding to G.R. No.1114 of 2013, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.



- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

Harish/-

U			
---	--	--	--

