

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54230 of 2017

Arising Out of PS.Case No. -207 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Vishwakarma Bin, Son of Late Ramdhari Bin, Resident of Village-
Baghawani, Police Station- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 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, 201/34 of the Indian
Penal Code and Section 27 of the Arms Act.

According to First Information Report, the
informant saw that co-accused Suman Singh and Deepak Kumar
Sah took Satyendra Tiwari along with them on the pretext of
Panchayati. The informant followed. As soon as they reached near
the house of this petitioner, the petitioner fired at Satyendra Tiwari
as a result whereof Satyendra Tiwari died.

Learned counsel for the petitioner submits that
the case diary would reveal that there is no eye-witness of the
occurrence, rather the informant is also not an eye-witness because



the police has found involvement of co-accused Suman Singh and Deepak Kumar Sah doubtful as no witness supported the aforesaid fact. The petitioner is in custody since 28th of July, 2017 and on the basis of doubted statement of the informant, the petitioner could not be detained as under trial prisoner furthermore.

Finding substance in the submission aforesaid, 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 Hussainganj Police Station Case No. 207 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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