

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40613 of 2018

Arising Out of PS. Case No.-100 Year-2018 Thana- KARAHGAR District- Rohtas

Yogendra Singh S/o Late Gopal Singh, R/o Vill.- Semaria, P.S.- Kargahar,
District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 24-08-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with Kargahar P.S. Case No. 100 of 2018 registered for the offence punishable under Sections 147, 148, 149, 302, 307, 323, 354, 504, 452 of the Indian Penal Code and Section 27 of the Arms Act.

Informant Tapesh Kumar in his fardbeyan has stated that 5 FIR named accused persons tried to outrage modesty of Puja Kumari and on her raising alarm Bimlesh Singh came who was shot by them and who subsequently succumbed to injury. Allegation against the petitioner is that he subsequently arrived at place of occurrence and caused firearm injury upon



Lakhmuna Devi.

It is submitted that the petitioner is innocent and has been falsely implicated in this case and there is no specific allegation against the petitioner of causing firearm injury upon the deceased. It has been further submitted that similarly situated co-accused, namely, Subash Singh @ Subhas Singh has already been granted bail by this Hon'ble Court vide order dated 20.08.2018 passed in Cr. Misc. No. 41343 of 2018 and he is in custody since 08.05.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

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 A.C.J.M., Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 100 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 present 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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