

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66674 of 2018

Arising Out of PS. Case No.-595 Year-2017 Thana- SITAMARHI District- Sitamarhi

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Rajeev Kumar Singh @ Rajeev Singh S/o Late Pramod Singh, Resident of
Village-Choti Sinhabahini, P.S. Sonbarsha, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 19-12-2018 Heard learned counsel for petitioner and learned

counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Sitamarhi (Mehsaul O.P.) P.S. Case No. 595 of 2017
registered for the offences punishable under Sections 302, 129 (B),
34 of the Indian Penal Code and under Section 27 of Arms Act.

Informant in his fardbeyan has stated that on
01.08.2017 he got information that his son Abhishek Kumar
Singh @ Vipul Singh has been shot dead by some miscreants
while he was at his grocery shop. On getting information, he went
there and saw that his son was lying dead on the road.

It has been submitted on behalf of the petitioner that
he is innocent and has committed no offence. He has been falsely
implicated in this case merely on the basis of suspicion. The name
of the petitioner has surfaced on the basis of confessional
statement of co-accused Ravi Singh, who has been granted regular
bail by the court below itself on the ground of juvenility. Except



confession there is nothing against the petitioner. Nobody had seen the occurrence and only on the basis of suspicion petitioner has been implicated in this case. There was civil dispute between the deceased and petitioner. Petitioner has no criminal antecedent and is in custody since 17.08.2018.

Considering the aforesaid fact 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, Sitamarhi, in connection with Sitamarhi (Mehsaul .O.P.) P.S. Case No. 595 of 2017, subject to conditions:

- (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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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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