

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59253 of 2017

Arising Out of PS.Case No. -353 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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Sunil Singh Son of Gholti Singh Resident of Village - Jamaldipur, P.S.
Kharik, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sri Zainul Abedin, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-01-2018 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 147,148,149,302,379 of the

Indian Penal Code and Section 27 of Arms Act.

The informant is eye witness of the occurrence.

According to FIR, the petitioner and six others surrounded the

informant and her husband on the way and fired from their

respective rifles causing death of the husband of the informant.

Learned counsel for the petitioner submits that

the case diary would reveal that the deceased was himself a

veteran criminal and due to some rivalry with another criminal

who was unfortunately brother of this petitioner for claim over a



looted rifle, murder of the deceased was committed by some unknown person and false FIR has been lodged. The petitioner is in custody since 28.08.2017.

Considering the aforesaid facts especially the fact that the postmortem report is not consistent with the allegation against seven persons of firing with rifle, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 Bihpur Police Station Case No.353 of 2017, 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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