

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30407 of 2018

Arising Out of PS. Case No.-2 Year-2017 Thana- AJIMABAD District- Bhojpur

Bipin Yadav @ Bipin Singh S/o Late Shyamlal Singh, R/o Vill.- Balihari,
P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 13-09-2018 Heard learned counsel for petitioner and learned
counsel for the State as well as learned counsel for the
Informant.

Petitioner seeks bail in **Ajimabad P.S. Case No. 02
of 2017** registered for the offence punishable under Sections
302/120B/34 of the Indian Penal Code.

Allegation against the petitioner is of committing the
murder of the father of the informant, though in the FIR he is
not named but during investigation involvement of petitioner
has been found. His name has surfaced in the crime on the basis
of confession made by co-accused before police. Petitioner has
also confessed his participation in crime before the police.

It has been submitted on behalf of the petitioner that
the petitioner has been implicated in this case on the basis of



confessional statement of a co-accused. It has been further submitted on behalf of the petitioner that petitioner is not named in the FIR rather there is allegation on Satyendra Tiwari, Harendra Tiwari and Shyamsundar Tiwari, who have already been granted bail vide order dated 09.11.2017 in Criminal Miscellaneous No. 40407 of 2017 and 19.02.2018 in Criminal Miscellaneous No. 63093 of 2017. Petitioner has got no criminal antecedent and is in custody since 17.02.2018.

Learned counsel for the Informant and learned counsel for the State vehemently opposes the prayer for bail.

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/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-VIIIth, Bhojpur, Ara**, in connection with **Ajimabad P.S. Case No. 02 of 2017**, subject to the following 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be



sufficient 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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