

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41887 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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1. BALKESHWAR SINGH @ BALO SINGH @ BALKISHORE SINGH
Son of Late Surendra Singh, Resident of Village- Pakra, P.S. Nawgachi,
District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

10 12-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in Nawgachhiya P.S. Case
No. 149 of 2016 registered for the offence punishable under
Sections-302, 120(B) & other minor Sections of the Indian Penal
and 27 of the Arms Act.

Twelve named accused including the petitioner was
identified among the assailants who had surrounded the victim,
Vinod Yadav and caused his death.

Submission of learned counsel for the petitioner is that
petitioner is in custody since 07-04-2017.

The allegation is not specific. The doctor has found
seven wound of entries and equal number of wound of exits as per



postmortem report. He further submits that the report of learned Ist Additional Sessions Judge is perfunctory and without verification of the record wherein the trial Judge has reported that the trial is not proceeding due to absence of either the petitioner or his lawyer. From the order sheet of the court below dated 16-08-2017, it would reveal that the petitioner was produced in the case on each and every date for fault of others, the petitioner cannot be made to suffer.

Considering the nature of injuries sustained by the deceased and the period already undergone by the petitioner in custody, 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 the learned Court below in connection with the aforesaid case with condition that the petitioner will fully cooperate in the trial of the case and if the petitioner fails to do so, the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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