

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49360 of 2018**

Arising Out of PS.Case No. -838 Year- 2017 Thana -MOTIHARI TOWN District-  
EASTCHAMPARAN (MOTIHARI)

=====

1. Rahul Singh S/o Sant Bachha Prasad Thakur R/o Village - Khajuriya,  
P.S. Govindganj, District - East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      03-10-2018                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with  
Motihari Town P. S. Case No. 838 of 2017, registered for  
offences punishable under Sections 302, 120 (B)/34 of the Indian  
Penal Code and Section 27 of Arms Act.

Allegation as per F.I.R. is of firing on the deceased,  
causing death. The petitioner is not named in the F.I.R. later on,  
during course of investigation his name has transpired.

Submission of the learned counsel for the petitioner  
is that from CCTV footage, it appears that two other co-accused  
persons had fired on the deceased and the name of the petitioner  
surfaced only on confessional statement and except that there is  
nothing against the petitioner and the petitioner is in custody since  
12.04.2018. It is also submitted that other co-accused having



similar allegation has been granted bail by a Co-ordinate Bench of this Court vide order dated 18.07.2018 passed in Cr. Misc. No. 38724 of 2018.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- ( Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S.Case No. 838 of 2017, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds

**(Vinod Kumar Sinha, J)**

Sudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

