

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15582 of 2018

Arising Out of PS. Case No.-256 Year-2014 Thana- KOTWA District- East Champaran

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Jitendra Singh @ Jitendra Kumar, Son of Vinay Narayan Singh, Resident of
Nawada, P.S.- Kotwa, District East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur
For the State	:	Mr. Smt. Anita Kumari (APP)
For the Informant	:	Mr. Ramchandra Sahni, Advocate

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-04-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in
connection with Kotwa P.S. Case No. 256 of 2014 registered for
the offence punishable under Sections 341, 109, 302/34 of the
Indian penal Code

Informant is the son of deceased, who, has stated
that while he was returning back, he saw his mother crying and
found that his father has been killed by accused persons as
conveyed by his mother. The allegation in FIR is of general and
omnibus nature against all the accused including the petitioner.



However, during investigation the witnesses have specifically named Munna Singh who fired upon deceased causing his death. In para 6 of the case diary the statement of deceased's wife has been recorded and who is an eye witness did not name petitioner as assailants of his father. In paragraph No. 7 the son of the informant has also not named petitioner as assailants of his father and since there is specific allegation of firing by Munna Singh on deceased and he also received only one bullet injury which was the cause of his death.

It has been submitted that similarly situated co-accused persons, namely, Babloo Singh and Vinay Narayan Singh Budhai Sahani have already been granted bail as contained in Annexure-2 series of petition and petitioner is in custody since 04.01.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail to the petitioner.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Motihari, in



connection with Kotwa P.S. Case No. 256 of 2014.

(S. Kumar, J)

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