

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12872 of 2018

Arising Out of PS. Case No.-53 Year-1993 Thana- NAUGACHIA District- Bhagalpur

Bandhu Singh, son of Late Chano Singh, Resident of Village- Telghi, P.S.
Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 04-04-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Naugachia P.S. Case No. 53 of 1993 registered under Sections
147, 148, 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Co-accused Bharat Singh is said to have resorted
firing upon the Shankar Roy and also eliminated Niro Roy by
means of Hasua while Arun Singh eliminated Shankar Roy by
means of Hasua while the petitioner armed with gun was present
at the place of occurrence along with other accused persons.
Petitioner is said to have absconded for around 24 years and
lastly surrendered before the court on 12.04.2017.

It is submitted by learned counsel for the
petitioner that the petitioner does not happen to be assailant



rather was a member of the mob. He has no concern with the aforesaid occurrence and has been falsely implicated in the case due to dirty village politics. No overt act is attributed to the petitioner. He had gone outside of the village in connection with his livelihood and had no knowledge of fate of the case and on regressing his village, he learnt about the case and *suo motu* surrendered in the court on 12.04.2017 and has been languishing in custody since then.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 53 of 1993 with condition that:

- (1) One of the bailors must be government servant.
- (2) The petitioner shall appear on each and every date fixed in the trial. In case of default in appearance on two consecutive dates, his bail bonds shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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