

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14242 of 2018

Arising Out of PS.Case No. -576 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ
=====

1. Omprakash Singh S/o Janaki Singh, R/o Vill.- Banjari, P.S.- Gopalganj,
Distt.- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

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

with

Criminal Miscellaneous No.19680 of 2018

Arising Out of PS.Case No. -576 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ
=====

1. SANJAY SINGH @ SANJAY KUMAR SINGH son of Late Jagarnath
Singh resident of Village - Sunderpatti, P.S. + District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

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

Appearance :

(In Cr.Misc. No.14242 of 2018)

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

(In Cr.Misc. No.19680 of 2018)

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary
=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection
with Goalganj (Town) P.S.Case No.576 of 2017, registered for
offences punishable under Sections 302, 120(B), 34 of the Indian
Penal Code.

Allegation against the petitioners as per FIR is that son of



the informant was working in Maa Singhasini Petrol Pump and on 29.11.2019 on phone he communicated that he is coming within 10-15 minutes, thereafter in spite of making calls, there was no answer from that side. It is also the prosecution case that one Rajendra Prasad came on 30.11.2017 at the door of the informant and informed that in the last night the petitioners along with other accused persons consumed wine at the petrol pump, thereafter they started searching his son and later on came to know that a person was brought in the injured condition in the Hudson Hospital, who had received gun short injuries and later on the dad-body was found lying in the Tata vista Car near the Police Line.

Submission of the learned counsel for the petitioners is that except suspicion there is nothing against the petitioners and though the confession of the another accused persons has been recorded but he has named one Guddu Singh as assailant and not named the petitioner and Guddu Singh has been granted privilege of anticipatory bail, vide order dated 28.03.2018 passed in Cr. Misc. No.9912 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 petitioners surrender before the court below within a period of four weeks from the date



receipt of the order and on his surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Gopalganj (Town) P.S.Case no.576 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

