

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31359 of 2018

Arising Out of PS. Case No.-490 Year-2017 Thana- MOHANIA District- Bhabhua (Kaimur)

Bikku Singh @ Alok Kumar Singh, Son of Ramjee Singh, Resident of
Village-Muraharia, P.S.-Mohania, District-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Mohania P.S. Case No.490 of 2017 registered for the offence
punishable under Sections 302,307,326/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Informant in her written report has alleged that on
08.09.2017 at 12 O'clock in the night she was sleeping with her
family members on the roof of the house then 5 to 6 persons
entered her house by breaking the door of back portion of the
house and on alarm being raised by her father they started firing
on account of which her mother and father died immediately
whereas her sister also sustained fire arm injury who has been
admitted in the hospital.

It has been submitted on behalf of the petitioner that the



petitioner has been falsely implicated in this case. FIR has been lodged on 09.09.2017 and received in the Court on 11.09.2017 without explaining any delay. It has been further submitted that during investigation I.O. examined independent witnesses but none of them have whispered a single word against the petitioner. Petitioner has been implicated in this case only on suspicion that there was conversation between him and co-accused. The incident is result of love affair and does not concern petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **C.J.M,Kaimur** in connection with **Mohania P.S. Case No.490 of 2017** subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates



without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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