

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13596 of 2018

Arising Out of PS.Case No. -84 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Sanjay Singh, S/o Late Uma Singh, Resident of Village- Dharupur, P.S.-
Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the prayer
for bail of the petitioner was rejected vide order dated 24.08.2017
passed in Cr. Misc. No. 29722 of 2017.

Petitioner is languishing in judicial custody since
04.04.2017 in connection with Sessions Trial No. 309 of 2017
arising out of Bikramganj P.S. Case No. 84 of 2017 for offences
punishable under Sections 302, 307, 341, 504, 324, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that the petitioner along with other co-accused including co-
accused Suryadeo Singh came variously armed with rifle, gun and



pistol and started indiscriminate firing as a result one Saleh Khatoon succumbed to the gunshot injury. It is alleged that co-accused Suryadeo Singh tried to stop construction of the boundary which was going to be erected by the informant's side and both had property dispute since last ten years.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. He submits that allegations are general and omnibus and one of the co-accused has been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 50892 of 2017 on 02.01.2018. He submits that the witnesses have not supported the prosecution case as to who inflicted gunshot on the deceased and that he undertakes to cooperate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-4th, Rohtas at Sasaram in connection with Sessions Trial No. 309 of 2017 arising out of Bikramganj



P.S. Case No. 84 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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