

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.67256 of 2018

Arising Out of PS.Case No. -547 Year- 2017 Thana -DANAPUR District- PATNA

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Ashok Kumar Sinha, Son of Late Jang Bahadur Sinha, R/o Lotus Apartment, B-Block, Flat No.215, New Patliputra Colony, P.S.- Patliputra, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar, Adv

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-11-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 120B of the Indian Penal Code.

The petitioner is not named in the FIR. The informant is eye witness of the occurrence rather injured of the occurrence. The FIR named accused person are suspected to have killed one Kedar Rai , the brother of the informant. After investigation, the police did not find accusation against the FIR named person as true rather chargesheet was submitted against non-FIR named accused person including the petitioner.

Submission is that there is no eye witness of the



occurrence. Petitioner is in custody since 07.11.2017.

Earlier, this Court has refused prayer for bail to the petitioner on 16.03.2018 in Cr.Misc. No.3781 of 2018 only on the ground of suppression of criminal antecedent by the petitioner for which the petitioner has already suffered a lot.

The petitioner had challenged the order of this Court dated 16.03.2018 passed in Cr.Misc.No.3781 of 2018 before the Hon'ble Apex Court in an S.L.P. (Crl) No.4211 of 2018 which was withdrawn with liberty to renew the prayer on any other fresh ground.

Further submission is that co-accused-Haricharan Rai has already been allowed bail by this Court in Cr.Misc.No.14783 of 2018.

Considering the entire facts aforesaid especially the fact that there is no substantial material against the petitioner so far offences alleged is concerned, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Danapur P.S.Case No.547 of 2017 G.R. No.2560 of 2017, subject to the condition that both bailors shall be



resident of territorial jurisdiction of the learned court below
and further the petitioner shall fully cooperate with the
investigation/trial of the case, failing which the court below
shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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