

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38279 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- CHAURI District- Bhojpur

Rupesh Singh, Son of Sheoji Singh @ Shivji Singh Yadav, resident of
Village- Godiha, P.S.- Sahar (Chouri), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Chauri
P.S. Case No. 37 of 2018 registered for the offence punishable
under Sections 341, 302, 120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant is
that five persons came and assaulted her husband with lathi-
danda and during course of treatment, he succumbed to the
injuries.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and bears no criminal history. He submits that both
parties were on inimical terms and on the same day, First
Information Report has been lodged by the petitioner's side



bearing Chauri P. S. Case No. 35 of 2018 for altercation by the informant's side and the present First Information Report is an afterthought. He submits that there is specific allegation against five co-accused named in the First Information Report, petitioner not being one of them, and the petitioner is languishing in custody since 26.04.2018.

However, learned counsel appearing on behalf of the informant and the learned A.P.P. for the State oppose the prayer for bail stating therein that although the petitioner has not been named in the First Information Report, but during course of investigation and in the re-statement of the informant his complicity surfaced.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate – Ist, Bhojpur at Ara in connection with Chauri P. S. Case No. 37 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(2) The 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.)

Arjun/Ragini

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