

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2242 of 2019

Arising Out of PS. Case No.-195 Year-2015 Thana- PATAHI District- East Champaran

Chhotu @ Anand Mohan Singh, aged 22 years (Male), son of Nagendra Singh, resident of village- Murtiya, P.S. Adapur, District East Champaran
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party : Mr. Surendra Kumar(App190)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 17-01-2019

Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 15.09.2018 in connection with Patahi P.S. Case No. 195 of 2015 for the offences alleged under Sections 364, 302 and 120B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that due to land dispute, co-accused, Sanju Devi, had conspired to kill her husband.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, not named in the first information report and has been falsely implicated in the aforesaid case. He submits that one of the co-accused, Amrendra Pandey, who had confessed his guilt and also named the petitioner, has already been granted the privilege of bail by a coordinate Bench of this



Court in Cr. Misc. No. 13303 of 2017, dated 02.05.2017. He, further, submits that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Patahi P.S. Case No. 195 of 2015 to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, subject to the following conditions :

(i) 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.

(ii) 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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