

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8965 of 2019

Arising Out of PS. Case No.-321 Year-2018 Thana- DESARI District- Vaishali

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Prem Shankar Singh @ Guddu Singh, aged about 40 years (M), S/o Late Hari Narayan Singh, resident of Rampur, Kumarkol, P.S- Desri Sahdai (O.P), District, Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant has alleged in his first written report that his younger brother was killed near the gate in between 7-8 p.m. and he has seen the accused persons, Mala Singh, Pappu Singh, Tappu Singh, Amarnath Singh and Manoj Kumar Singh escaping from the place of occurrence after killing his brother. Informant gave another written report on 10.11.2018 alleging that the petitioner called his younger brother to Darwajepur on pretext for eating food and with aid of several other persons killed his brother.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that after lodging of F.I.R., the informant entered into compromise with accused, Amarnath Singh and Manoj Singh and thereafter, implicated the petitioner and his brother so that they cannot depose as witness against the accused Amarnath Singh and Manoj Singh. Petitioner has no criminal antecedent and he is in custody since 12.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Desari (Sardehi O.P.) P.S. Case No.321/2018, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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