

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20744 of 2019

Arising Out of PS. Case No.-94 Year-2015 Thana- BARAUNI District- Begusarai

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CHHOTU SINGH @ SHYAM KISHORE, aged about 32 years, (M) Son of
Late Babu Saheb Singh R/O Village- Madhurapur, Dakhintola, P.S.- Teghra,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 302, 201 and 34 of
the Indian Penal Code.

Informant is the mother of deceased, who in her
written complaint has stated that his son had gone outside the
house for tea but thereafter did not return in the night and his
mobile was also found to be switched off and in the next
morning his dead body was recovered and she has alleged that
some unknown miscreants has killed his son.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case.



He is not named in FIR, his named has surfaced in this case on the basis of confessional statement of Md. Firoz @ Khurshid @ Langara and except said confession there is no other incriminating material against petitioner. Although in the FIR informant has not named in present FIR, however, in her re-statement she has named petitioner as an accused. It is submitted that Md. Firoz on whose confession petitioner has been implicated in this case has been granted bail by co-ordinate Bench of this Court as contained in Annexure- 2 of the petition. Petitioner has got no criminal antecedent and is in custody since 05.02.2019.

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 **Barauni (Chakia) P.S. Case No. 94 of 2015/G.R. no. 1118 of 2015**, with following condition:-

(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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