

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28127 of 2019

Arising Out of PS. Case No.-616 Year-2017 Thana- HAJIPUR District- Vaishali

PAPPU SINGH, Son of Late Ram Pratap Singh, Resident of Village - Andar Kila, S.D.O. Road, P.S. - Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, the petitioner is assailant of the husband of the informant.

In the past, this Court had refused the prayer for bail of the petitioner on 26.04.2018 in Cr. Misc. No. 14732 of 2018 with direction to the Trial Judge to conclude the trial preferably within nine months.

Submission of the learned counsel for the petitioner is that trial has not concluded. However, subsequent development of this case is that none of the prosecution witnesses examined up-till-now, total six in number including the informant, have



supported the occurrence as eyewitness. The informant, who is wife of the deceased, is specific that when she heard the sound of firing, she came out and found her husband injured and elder brother of the husband Hari Sahani fleeing from there. She is specific that the petitioner is a neighbour and the petitioner had no dispute with the husband of the informant or the informant. Petitioner is in custody since 14.12.2017.

Considering prosecution evidences coming on the record not supporting allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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 Sessions Trial No. 250 of 2018 arising out of Town Police Station Case No. 616 of 2017, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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