

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31151 of 2019

Arising Out of PS. Case No.-190 Year-2018 Thana- BELSAND District- Sitamarhi

DIWAKAR KUMAR SINGH, Male, aged about 29 years, Son of Narendra Pd. Singh, Resident of Village - Mdhakaul, P.S.- Belsand, Dist.- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejendra Sinha

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302/ 34/120(b) of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other F.I.R. named accused persons is to have fired upon the husband of the informant as a result of which, he succumbed to injuries.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to political rivalry. It has further been submitted that during investigation, it has come that co-accused Laxmi Das and Vikash Mishra had killed the deceased which fact was also corroborated by the footage of C.C.T.V. camera. Petitioner is in



custody since 06.01.2019.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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 Belsand P.S. Case No. 190 of 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)

Sanjay/-

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