

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51927 of 2018

Arising Out of PS. Case No.-256 Year-2017 Thana- KARAKAT District- Rohtas

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Upendra Singh S/o Late Rama Shankar Singh, resident of Village- Amarthia ,
P.S.- Karakat, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.
For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

9 09-04-2019 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, 307, 341, 323, 504,
506, 120(B) , 147, 148 and 149 of the Indian Penal Code.

The F.I.R. would reveal that nineteen persons are
named as accused. However, specific allegation is against co-
accused Vinod Singh and this petitioner that they assaulted with
their iron rod causing injury at the head of Ramchandra Singh as
a result whereof Ramchandra Singh died on the spot.

Submission of the learned counsel for the petitioner is
that petitioner is in custody since 20.01.2018. The postmortem
report would reveal that Doctor has found single lacerated



wound on the forehead of the deceased hence this is difficult to attribute as to which of the two had caused the single blow at the head of the deceased. Moreover, the petitioner is ready to cooperate with the trial he has got no criminal antecedent.

On the other hand learned counsel for the informant submits that co-accused Vinod Singh has been refused bail by Coordinate Bench of this court in Cr. Misc. No. 74337/2018. During investigation it came in the evidence of witnesses that the petitioner was carrying iron rod and Vinod Singh was carrying lathi.

Considering the fact that postmortem would reveal that single injury was found on the head of the deceased which creates doubt as to which of the two accused had caused the said injury, let the petitioner above-named, be released on bail on furnishing bail bond of Rs. 20,000 (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Karakat P.S. Case No. 256/2017 corresponding to Sessions Trial No. 156/2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel



the bail bond of the petitioner.

(Birendra Kumar, J)

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