

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64478 of 2018

Arising Out of PS. Case No.-136 Year-2017 Thana- MADHAURAH District- Saran

Jitendra Kumar Singh, Son of Late Uma Shankar Singh, Resident of Village-
Salimapur, P.S.- Marhaura, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh
For the Opposite Party/s : Mr.Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 11-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Marhaura (Gaura O.P.) P.S. Case No. 136 of 2017 registered for the offence punishable under Sections 302, 307, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged in his written complaint that on 09.04.2013 he and others on a vehicle were going to Chapra, in the meantime, all FIR named accused including petitioner and 3-4 unknown persons started indiscriminate firing on it and thereafter all accused persons fled away on motorcycles. On arrival of the villagers and witnesses he got down from his vehicle and found the driver of the red light's vehicle dead and



one another persons injured. He suspects that petitioner and others have committed the occurrence with a view to kill his wife as his wife is the Chairman of Saran District Board.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to previous enmity and political rivalry. There is no specific allegation against petitioner. Post-mortem report of the deceased has also not supported the prosecution case. It has been further submitted that co-accused, namely Shivji Singh and Vijay Kumar Singh have granted anticipatory and regular bail by a co-ordinate Bench of this Court vide order dated 28.08.2017 passed in Cr. Misc. No. 39378 of 2017 and order dated 17.02.2018 passed in Cr. Misc. No. 1950 of 2018 respectively. Petitioner has no criminal antecedent and he is in custody since 10.07.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Saran at Chapra, in connection with Marhaura (Gaura O.P.) P.S. Case No. 136 of 2017 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

veena/-

U		T	
---	--	---	--

