

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6402 of 2019

Arising Out of PS. Case No.-704 Year-2017 Thana- BIHTA District- Patna

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Pappu Singh Son of Late Ramchandra Singh R/o village- Basaurha, P.S-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 01-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 326/302/120B/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Earlier prayer for bail of the petitioner was refused
on 08.01.2018. The petitioner is in custody since 10.09.2017.

According to FIR, the occurrence of murder of
Nirbhay Kumar Singh was committed by unknown person. The
informant is full-brother of Nirbhay Kumar Singh and was
present at the time of occurrence when unknown criminals
fired at Nirbhay Kumar Singh causing his death. During
investigation it surfaced that the petitioner and his son Amit



Kumar along with others were indulged in demand and realization of ransom from the local businessmen, which was being protested by the deceased being leader of the business community. Therefore, the petitioner and his son wanted to remove the deceased and that is why under a conspiracy they committed the murder. One more person had confessed before the police that he had some grudge with the deceased regarding non-refund of money by the deceased to that person. Therefore, he had conspired with the petitioner for commission of murder.

While refusing the prayer for bail, the learned Court-below was directed to expedite the trial. The report of the learned trial Judge reveals that the prosecution evidence is going on.

Learned counsel for the informant opposed the prayer and submits that a fresh report be called for from the learned trial Judge regarding present stage of the case. He further submits that evidence of Investigating Officer is going on.

There is no complaint of non-cooperation in trial on the part of this petitioner.



Considering the aforesaid facts, 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 Sessions Trial No.81 of 2018, Bihta P.S. Case No.704 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property in his name.

(b) 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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