

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78358 of 2018

Arising Out of PS. Case No.-227 Year-2018 Thana- CHAUSA District- Madhepura

Dilip Singh Son of Late Janardan Prasad Singh Resident of Village-Kherho @
Kharho,P.S. Puraini,Distt,-Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Chausa P.S. Case No. 227 of 2018 registered for the offence punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation in the FIR is that altogether 13 persons including the petitioner surrounded the brother of the informant Md. Nasrul and co-accused Bijendra Mehta and Manish Kumar caught hold of him and other accused persons opened fire, as a result of which, brother of informant died on the spot. The petitioner is said to be the member of unlawful assembly.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner.



Petitioner has no criminal antecedent and he is in custody since 31.08.2018. Similarly placed co-accused Md. Ibran Khan has already been granted bail by this Court vide order dated 14.12.2018 passed in Cr. Misc. No.74291 of 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/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda-Kishunganj, District, Madhepura in connection with Chausa P.S. Case No. 227 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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