

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80784 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- SAHAR District- Bhojpur

Jalandhar Singh aged about 27 years Male Son of Naga Singh R/o Village
-Bajrean, P.S- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Sri Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 28-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Sahar P.S. Case No. 196 of 2018** registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written complaint has stated that when he reached Vishpur Tola, near bridge, then he saw his son on motorcycle going towards his house from Barauni Bazar and in the meantime petitioner along with FIR named accused surrounded his son and fired upon his son which hit his chest as a result of which he died.

It is submitted that in restatement of Informant he has alleged firing to be made by co-accused and not by the petitioner which is corroborated by post mortem report in which



only one fire arm injury has been found on chest. It has further been submitted that petitioner is innocent and has been falsely implicated in this case due to previous enmity. No independent witness has turned up during the course of investigation. Petitioner is in custody since 13.09.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

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 **Additional Chief Judicial Magistrate-X, Bhojpur at Ara**, in connection with **Sahar P.S. Case No. 196 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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