

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74062 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- DHARHARA District- Munger

1. PAWAN SINGH Son of Late Jay Singh Resident of Village-Shivkund Nishad Tola, P.S.-Dharhara (Hemjapur), District-Munger.
2. Tuno Singh Son of Late Jay Singh Resident of Village-Shivkund Nishad Tola, P.S.-Dharhara (Hemjapur), District-Munger.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Murli Dhar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Session Trial No. 243/2019 (arising out of Dharhara P.S. Case No. 122/2019) registered under Sections 147, 148, 149, 302 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner, there is no specific allegation of firing on the daughter of the informant is against the petitioners, however petitioners are in custody since 22.08.2019.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case wherein no specific allegation of firing on the daughter of the informant is against these petitioners and learned counsel for the petitioners has brought to the notice of this court that in course of trial the informant has been declared hostile as he has stated in course of his examination-in-chief that he could not see as to who were the persons firing in the Barat party, although the petitioners have got three cases on their head but there being no specific allegation in this case, the fact that in course of trial the informant has become hostile, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Munger in connection with Session Trial No. 243/2019 (arising out of Dharhara P.S. Case No. 122/2019), subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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