

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2160 of 2019

Arising Out of PS. Case No.-225 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Saroj Kumar @ Saroj Singh S/o Late Sant Singh Resident of Village-
Rahatpur, P.S.- Balia, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Braj Kishore Prasad (App 90)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 302, 120B/34 of the Indian Penal Code and 27 of the
Arms Act.

The prosecution case in brief is that while the deceased
was going to his village, the accused persons surrounded him
and fired upon him, as a result of which, the deceased
succumbed to the fire-arms injury.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 16-07-2018. Charge
sheet has already been submitted. The petitioner has been
falsely implicated in the present case. From perusal of



paragraph-11 of the case diary, it appears that the police sought for written report from the family members of the deceased on the alleged date of occurrence but the same was not given. On the next day, as an afterthought, FIR had been instituted. As per the evidence recorded at paragraph-11 of the case diary, the informant is not an eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 225 of 2018.

(Sudhir Singh, J)

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