

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4273 of 2020

Arising Out of PS. Case No.-195 Year-2017 Thana- MATIHANI District- Begusarai

Jitendra Singh S/o Late Sarandhar Singh @ Late Sarangdhar Singh, Resident
of Village- Ramdiri Ramnagar, P.S.- Matihani, Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in connection with Matihani
P.S. Case No.195 of 2017 registered for the offence under
Sections 302, 147, 148, 149, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

Prosecution's case is that on 16.12.2017 at about 5.00
A.M., while the informant along with his younger brother, Uma
Kant Singh was going to his Dera with cattle feed, on route all
accused persons, namely, Raman Singh, Jhunna Singh, Abhay
Singh, Jitendra Singh (the petitioner), Buddhan Singh, Golu
Singh, Ashok Singh, Kari Singh, Pintu Singh and Kundan Singh
were seen standing and on the order of accused Jhunna Singh,
Abhay Singh and petitioner Jitendra Singh, other accused
persons fired on the informant and his brother Umakant Singh,
as a result of which his brother succumbed to the fire arms



injuries.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner is alleged to be an order giver in the occurrence. It is also submitted that co-accused, namely, Jhunna Singh and Abhay Singh, having similar allegation, have already been granted anticipatory bail by this Court vide order dated 19.07.2018 passed in Cr.Misc.No.41575 of 2018. The petitioner is in custody since 23.04.2018.

Considering the aforesaid facts and circumstances as well as the fact that similarly situated co-accused persons have been granted anticipatory bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri Juned Alam, learned Judicial Magistrate, 1st Class, Begusarai, in connection with Matihani P.S. Case No.195 of 2017 on the following conditions:-

(1) 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.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

nawalkrs/-

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