

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3386 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- PIPRAKOTHI District- East Champaran

VIVEK SINGH Son of Gorakh Singh Resident of Village - Makari Mahuawa,
P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 27-05-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Pipra Kothi P.S. Case no. 162 of 2019 registered under sections 302, 379, 120B and 34 of the Indian Penal Code and sections 25(1-b)a, 26, 27 and 35 of the Arms Act to which section 394 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R., the informant received information that his son had been shot dead and the police had taken him to the Sadar Hospital, Motihari. It is stated that the informant saw that his son had been shot in the head. For the last three years he had been working with Sunil Kumar Giri. In course of work, while he was returning on a motorcycle, it is stated that unknown person had shot him near the gumti and had taken away the bag that he was carrying.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case on the basis of his confessional statement recorded in Kalyanpur P.S. Case no. 156 of 2019 which has come in paragraph no.76 of the case diary and has been incorporated in the order of the Court below rejecting his application for bail. It is further submitted that besides this there is no other material against him and he is in custody since 19.8.2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact as stated above together with the petitioner being in custody since 19.8.2019, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Pipra Koti P.S. Case no. 162 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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