

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5313 of 2020

Arising Out of PS. Case No.-171 Year-2018 Thana- DARAUNDA District- Siwan

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Rohit Kumar @ Rohit Kumar Singh @ Sunny Singh Son of Sanjay Singh
Resident of Village - D.V., P.S.- M. H. Nagar (Hasanpura), Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-05-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 120(B), 34 of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case in short is that the accused persons
fired at the brother-in-law of the informant due to which he died.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 7.6.2019. There is no allegation of
tampering of witnesses alleged against the petitioner. Charge-sheet
has been submitted in the present case. The petitioner has falsely



been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused namely Ramagya Yadav. There is no eye witness to the alleged occurrence. Except for this, there is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge -II-cum- Special Judge, Siwan in connection with S. Tr. No. 478 of 2019 arising out of Daraunda P.S. Case No. 171/18.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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