

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26008 of 2020

Arising Out of PS. Case No.-169 Year-2007 Thana- KARAHGAR District- Rohtas

BINOD RAM @ VIKASH, aged about 36 years (Male), S/o Late Ram Ashish Ram, Resident of Village- Badki Khairi, P.S.- Shivsagar, District- Rohtas (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Kamal Kishor Kumar, Advocate.
For the Opposite Party : Mr. Ram Chandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 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.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 364, 302/34 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that the informant



and his nephew Bhim Singh were coming from *More Sarai Tole* to Village-Nonsari on 14.11.2007 at 7.30 P.M., as soon as they reached near *Nonsari Canal Pul*, all F.I.R. named accused persons and 5-6 unknown surrounded them and tied the hand of the informant. Thereafter, accused persons caught Bhim Singh and took him towards the *Nahar*. On 15.11.2007, hulla was raised in the village that a dead body of Bhim Singh was lying on the *Lahuara Nahar*. The informant and others reached there and saw the dead body of Bhim Singh.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 15.10.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in the present case, in course of investigation, on disclosure made by co-accused. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.



Considering the facts and circumstances of the case, the petitioner above named, 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 the learned A.D.J.-XVIII, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 169/2007 in Sessions Trial No. 16/20.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

