

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33502 of 2020

Arising Out of PS. Case No.-5 Year-2017 Thana- CHAKIA District- East Champaran
=====

TUNNA SINGH @ HARI NARAYAN SINGH Son of Late Binda Singh
Resident of Village - Nanhkar Patahai, P.S.- Patahi, District- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner/s : Mr. Sanjeev Ranjan
For the Opposite Party/s : Mr. Md. Aslam Ansari
=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 09-02-2021 Heard Mr. Sanjeev Ranjan, learned counsel for

the petitioner and Mr. Md. Aslam Ansari, learned APP for the

State.

The petitioner seeks bail in connection with

Chakiya P.S. Case No. 05/2017 instituted for the offences

under Sections 302, 120(B) and 34 of the Indian Penal

Code.

The F.I.R. is against unknown. The name of the

petitioner has transpired during the course of investigation.

Paragraph -18 of the case diary which records the statement

of the informant indicates that when the accused persons



were fleeing away, one of them fell down, who was being asked to get up and board the vehicle for fleeing away. In that connection, name of one Tunna Singh was heard by the informant.

The petitioner is aforesaid Tunna Singh.

The learned counsel for the petitioner has submitted that if the informant was an eye-witness to the occurrence, there was no reason for him not to have stated the name of the petitioner in the F.I.R.

In any view of the matter, the petitioner is in custody since 07.03.2017.

Mr. Sanjeev Ranjan, learned counsel for the petitioner has submitted that no witness has been examined before the court below till date. Though, the petitioner has been made accused in several cases, about which reference has been given in paragraph – 3 of the bail petition, but in three out of those ten cases, the petitioner is on bail.

Regard being had to the fact that the trial is not likely to be concluded in near future and that petitioner is in custody in this case for approximately four years, he is



directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -XVIth, East Champaran, Motihari, in connection with Chakiya P.S. Case No. 05/2017.

However, it is made clear that the petitioner shall participate in the trial and his unauthorized absence from trial proceedings on two consecutive occasions, without seeking prior permission of the Trial Court, would render the bail granted to the petitioner liable to be cancelled.

(Ashutosh Kumar, J)

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