

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9066 of 2015

Arising Out of PS.Case No. -62 Year- 2011 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Chandan Mishra son of Sri Kant Mishra @ Mantu Mishra, resident of village- Sonbarsa, P.S. Buxar (I), District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.11759 of 2015

Arising Out of PS.Case No. -62 Year- 2011 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Dharmendra Dubey @ Chandra Shekhar Dubey Son of Sri Ram Kuwar Dubey Resident of Village - Bakulhar, P.S. - Patherwa, District - Kushinagar (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.9066 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. M.K.Khare(App)

(In Cr.Misc. No.11759 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-05-2015 Heard both sides.

The petitioners seek their bail in a case registered under Sections 302 and other Sections of the IPC and Section 27 of the Arms Act.

The informant Pawan Kumar Prasad alleged that when he was going from Buxar to his house with Sheoji Kharwar and they reached near Bijulia Baba Asthan, three unknown persons

were standing there and one of them fired upon them due to which the informant fell down from the motor cycle and when Sheoji Kharwa started running, all the three persons fired on him and he fell down and died.

It is submitted that the petitioners are not name in the F.I.R. After two months of the occurrence, witnesses Narendra Tiwary and Mrityunjay Thakur disclosed before the police that they saw the petitioners and other accused persons indiscriminately firing. It is submitted that they are residents of Balia District.

Considering the fact that the name of the petitioners came after two months, the petitioners, named above, are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, IInd, Buxar, in connection with Sessions Trial No.73 of 2012 arising out of Buxar (Ind) P.S.Case No. 62 of 2011.

(Prabhat Kumar Jha, J)

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