

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16009 of 2015

Arising Out of PS.Case No. -50 Year- 2011 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Bindhyachal Chandrabanshi @ Parasad @ Parshad S/o Late Ramadhar
Chandrabanshi resident of village - Nawadih Kala, P.S. - Chutiya, District -
Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 22-05-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
22.11.2014 in a case registered for the offences punishable under
Sections 302 of the Indian Penal Code and 17 of Criminal Law
Amendment Act.

It is alleged that on 07.08.2011 when the
informant's daughter went to tie cow near the hills, in the
meantime, cross firing between Cobra forces and the extremists
started and one of the bullets hit the daughter of the informant as a
result she died. The FIR was lodged against unknown.
Subsequently, during investigation name of the petitioner sprang
up as the person who was also resorted to fire.

It is submitted by learned counsel for the petitioner that only on suspicion the petitioner has been apprehended as from the FIR itself it is apparent that it is not clear as firing of the extremists or the armed forces which actually hit the victim.

Considering the nature of accusation and the fact that the investigation has already concluded, let the above named petitioner, 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 learned Judicial Magistrate, Ist Class, Dehri, District – Rohtas in connection with Nauhatta P.S. Case No. 50 of 2011.

Since the petitioner is accused in three other cases, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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