

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20792 of 2015

Arising Out of PS.Case No. -209 Year- 2013 Thana -SAHPUR District- BHOJPUR

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SIDHNATH KUMHAR @ SIDHNATH KUMAR S/o - Late Tarkeshwar
Kumhar, R/o Village- Karnamepur, P.S.- Shahpur, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 16-09-2015

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

Petitioner is accused in connection with Sessions
Trial No. 256 of 2014 arising out of Shahpur P.S. Case No. 209 of
2013 registered under Sections 147, 148, 149, 323, 325, 307, 386
and 387 of the I.P.C. and 27 of the Arms Act and later on section
302 of the I.P.C. is added.

The accusation is that Harish Mishra has demand Rs.
2,00,000/- from the informant and he gave threatening to kill him
in case of non-fulfillment of ransom. Thereafter, on 19.10.2013
petitioner along with Kishun Mishra, Harish Mishra and 10 to 15
unknown persons armed with weapons reached at Machhaha Ghat
and looted cash Rs. 20,000/- and on protest, the petitioner and
other co-accused persons assaulted the informant and others.

Learned counsel appearing on behalf of the petitioner

submits that it would appear from the F.I.R. itself that ransom was demand by Harish Mishra not by this petitioner. Petitioner has no criminal antecedent and is in custody since 11.11.2013. It is also submitted that similarly situated co-accused Harish Mishra has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 41119 of 2014 on 23.01.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 5th Additional Sessions Judge, Bhojpur in Sessions Trial No. 256 of 2014 arising out of Shahpur P.S. Case No. 209 of 2013. Out of two sureties, one surety must be parents or close relatives of the petitioner.

(Rajendra Kumar Mishra, J.)

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