

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32523 of 2014**

Arising Out of PS.Case No. -71 Year- 1996 Thana -SAHAR District- BHOJPUR

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Ramakant Baitha, Son of Butan Baitha, Resident of village – Chauri, P.O. – Dhanchhuhan, P.S. – Sahar (Chauri), District – Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. J.N.Thakur, APP

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

**ORAL ORDER**

03/ 02-02-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 22.03.2014 in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the petitioner, co-accused Basawan Ram, Ekram Ram and Manuddin Ansari caught hold of the informant's son and made indiscriminate firing over his forehead. The petitioner alleged to have caused 2-3 injury to the victim's back with dagger.

It is submitted by learned counsel for the petitioner that post-mortem reflects that as per the opinion of the doctor the cause of death was firearm injury and only one lacerated injury was found on the back whereas co-accused

Basawan Ram and Ekram Ram, who caused firearm injury, have been acquitted vide Sessions Trial No. 297 of 2001.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 7<sup>th</sup> Ad hoc Additional Sessions Judge, Bhojpur at Ara in connection with Sessions Trial No. 145 of 2014 arising out of Sahar P.S. Case No. 71 of 1996.

Since the case was registered in 1996 and petitioner was arrested in 2014, the learned court below will positively cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

**(Dinesh Kumar Singh, J)**

DKS/-

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