

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35460 of 2015

Arising Out of PS.Case No. -183 Year- 2014 Thana -KHAIRA District- JAMUI

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1. Dinesh Sah @ Dinesh Saw Son fo Latayan Sah Resident of Village
Mango Chapri P.s khaira, district Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 23-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Khaira
P.S. Case No. 183 of 2014 registered for the offence punishable
under Sections 147, 342, 324, 302 of the Indian Penal Code.

As per the first information report, the petitioner
assaulted Basuki with Tangi on his chest and other co-accused
also assaulted him brutally causing his death.

Submission is of false implication and that in
further statement the informant has not stated specifically and
other witnesses during investigation have stated otherwise that the
villagers killed the deceased and as such the petitioner who is
suffering in custody since 12.06.2015 deserves sympathetic

consideration to which the learned APP opposes by submitting that against the petitioner there is specific allegation but fairly submits that the witnesses vide paragraphs 24, 25, 26, 27 and 44 of the case diary have stated otherwise.

In the facts and circumstances stated above, considering that during investigation witnesses have stated otherwise that villagers have killed the deceased, further considering the period of detention and chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri V. K. Pandey, J. M. Ist Class, Jamui in connection with Khaira P.S. Case No. 183 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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