

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39770 of 2014

Arising Out of PS.Case No. -407 Year- 2013 Thana -GARDANIBAGH District- PATNA

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Shashi Ranjan Kumar Trimurty @ Jai Bhawani, son of Sri Bishwanath Singh, resident of village- Jhaichak, P.S. Parsa Bazar, District- Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Surj Bansh Roy

For the Opposite Party/s : Mr. Mustaque Alam(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

13 02-09-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Learned counsel for the petitioner is permitted to make necessary correction in the first paragraph of the application.

The petitioner is accused in connection with Gardanibagh P.S. Case No. 407 of 2013 registered under Sections 302/34 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that on the basis of faradbeyan of informant, Sheo Nath Singh, regarding the death of his brother-in-law, Birju Yadav, due to firearm injury, F.I.R. was lodged against the unknown. Later on, in course of investigation, Jagat paswan and Jai Prakash Paswan @ Tuntun claimed themselves to be the

eye witness of the occurrence and disclosed the name of the petitioner as assailant on the next day of the occurrence and after commitment of the case to the court of Sessions numbered as Sessions Trial No. 593 of 2013 pending in the court of Additional District Judge-III, Patna, Jagat Paswan and Jai Prakash Paswan @ Tuntun have examined as P.W.2 and P.W.3 but they have not supported the case of prosecution about seeing the assailant and also not disclosed the name of petitioner. It is further submitted that petitioner, who has no criminal antecedent, is in custody since 03.02.2014.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Adhoc District and Sessions Judge-I, Patna in connection with Sessions Trial No. 593 of 2014 arising out of Gardanibagh P.S. Case No. 407 of 2013.

(Rajendra Kumar Mishra, J)

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