

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48409 of 2014

Arising Out of PS.Case No. -388 Year- 2010 Thana -MAKHDUMPUR District- JEHANABAD

1. Chitranjan Sharma S/o Sri Mithilesh Suman Sharma Resident of Village Naugarh, P.S. Makhdumpur, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Amit Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-03-2015

Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Makhdumpur P.S.Case No. 388 of 2010 registered u/s 302/34 IPC and 27 of the Arms Act.

Allegation against the petitioner and others have been made that they had chased the victim and killed him by causing firearm injury. Allegation against the petitioner is that he had fired from rifle which hit the victim and he died.

In trial, i.e. S.T.No. 100 of 2012, two persons, namely, Niraj Sharma and Mantu Sharma @ Mukesh Sharma have already been convicted and sentenced to undergo imprisonment for life.

It appears that the petitioner remained absconding and ultimately he was arrested and sent to judicial custody.

Counsel for the petitioner submits that accused,

namely, Niraj Sharma was granted bail during trial vide Cr.Misc.No. 40515 of 2012 and others have also been granted bail by co-ordinate Bench. Petitioner is in custody since 21st October 2013.

In the facts and circumstances of the case, petitioner Chitranjan Sharma is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-V, Jehanabad in S.T.No. 65 of 2014 arising out of Makhdumpur P.S.Case No. 388 of 2010 subject to the conditions that

(i) one of the bailors will be his son/wife/mother of the petitioner,

(ii) that the petitioner would co-operate in the day-to-day proceeding of the court and if the petitioner will fail to co-operate in the proceeding of the court below and will remain absent for two consecutive dates without reasonable explanation, the court will pass appropriate order, including cancellation of bail bonds.

The court below is also directed to complete the trial without unnecessary delay and take all measures including coercive measures as provided under the Cr.P.C. so that the trial is completed within a period of nine months from the date of receipt/production of copy of this order.

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(Shivaji Pandey, J)