

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45470 of 2014

Arising Out of PS.Case No. -233 Year- 2013 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

Shamim Ahmad , son of Nijamuddin, resident of Baksa, P.S. Sugauli,
District- East Champaran.

.... Petitioner.

Versus

The State of Bihar

....Opposite party.

Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Musquate Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 30-01-2015

Heard the learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner is in custody since 07. 09. 2014 in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code, later on Section 302 of Indian Penal Code was added.

It is submitted that allegation against the petitioner is that he instigated the other co-accused persons to kill the informant and others. Thereafter, the petitioner shot fire at the informant which did not hit him. Later on at his instance other co-accused persons have assaulted Lal Babu which resulted into death of the deceased. It is also submitted that in similar facts and circumstances of the case, other co-accused persons have been granted bail vide order dated 19. 11. 2014, in Cr. Misc. No. 41774 of 2014.

Learned counsel for the informant submits that at the

instance of the petitioner the occurrence took place and petitioner has also criminal antecedent.

Considering the facts and circumstances of this case, the above-named petitioner is directed to 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 the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Sugauli P.S. Case No. 233 of 2013 after framing of the charge with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

m.p.

(Amaresh Kumar Lal, J)

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