

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46592 of 2014

Arising Out of PS.Case No. -68 Year- 2011 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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SHAMBHU BHAGAT @ SHAMBHU PRASAD, SON OF LATE RAM
PRATAP BHAGAT, RESIDENT OF VILLAGE- UJHILPUR, POLICE
STATION- RAJEPUR, DISTRICT- EAST CHAMPARAN, MOTIHARI
.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Rajeev Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 25-03-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Sessions Trial No. 332 of 2014 arising out of Rajepur P.S. Case
No. 68 of 2011 registered under Sections 147, 148, 149 and 302 of
the Indian Penal Code besides Section 27 of the Arms Act and
Section 17 of the C.L.A. Act.

Learned counsel for the petitioner submits that
prayer for bail of the petitioner was earlier rejected vide order
dated 24.04.2014 passed in Cr. Misc. No. 8875 of 2014 by this
Court taking into consideration the direct allegation against the
petitioner and two other co-accused, namely, Indradeo Prasad and

Indradeo Thakur, causing injury to Indradeo Prasad Singh, brother of the informant and petitioner is in custody since 06.06.2013. It is further submitted that co-accused, Indradeo Prasad, after facing trial in Sessions Trial No. 799 of 2012, has been acquitted on 16.01.2014 by the court of Additional District and Sessions Judge-V, East Champaran, Motihari, on the ground of not supporting the prosecution case and the trial of petitioner in Sessions Trial No. 332 of 2014, two witnesses have been examined, but they have not supported the prosecution case.

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 Additional Sessions Judge-2nd, East Champaran, Motihari in connection with Sessions Trial No. 332 of 2014 arising out of Rajepur P.S. Case No. 68 of 2011. Out of two sureties, one surety must be parents or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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