

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.659 of 2015

Arising Out of PS.Case No. -99 Year- 2014 Thana -NAYAGAON District- SARAN

Dhirendra Singh, Son of Madan Singh @ Madan Mohan Singh, Resident of Village - Dumari Bujurg (Raghopur Dumari), Police Station - Naya Gaon, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate
For the Opposite Party/s : Mr. Gopesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 09-03-2015 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is to have shot fire which hit the deceased below his chest.

It is submitted that no doubt, there is specific allegation of overt act against the petitioner to have shot dead the deceased, but the post mortem examination report shows that the wound of entry is back side and wound of exit is the abdomen of the deceased, which shows that the informant is not the eye witness to the occurrence. The Investigating Officer has not found any bloodstained soil or any other material from the place of occurrence. However, after investigation, charge sheet has already been submitted and there is no chance of

tempering with the evidence.

The learned counsel for the State submits that there is specific allegation of overt act against the petitioner and he has also criminal antecedent.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/court concerned in Naya Gaon P.S. Case No.99 of 2014 after framing of 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.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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