

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25528 of 2015

Arising Out of PS.Case No. -82 Year- 1994 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Geeta Bin Son of Moti Chand Bin, resident of Village-Nainaha, Police
Station-Dhanaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Ahmad Ali(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-11-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 307, 324, 323 and 34 of the I.P.C
and sections 25, 26 and 27 of the Arms Act.

Allegedly, the miscreants after entering into the house
of the informant and his brother made indiscriminate firing
causing death of Teni Yadav and Satan Sah and also injury to the
informant, Hridaya Narayan Sah and others, Ramji Yadav also
died and subsequently Hridaya Narayan Sah also died after being
discharged from the hospital and that Hridaya Narayan Sah
conveyed to the informant that this petitioner and others were the

members of group of the assailants. The petitioner is in custody since 08.03.2014.

Submission is of false implication and that the police never recorded statement of Hridaya Narayan Sah though he was admitted in the hospital. The informant has not identified any of the miscreants and similarly situated co-accused Munnar Yadav has been allowed bail by another coordinate Bench of this Court vide Cr. Misc. No. 24873 of 2014 by order dated 03.02.2015 and as such the petitioner also deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of co-accused Munnar Yadav.

In the facts and circumstances as stated above, the petitioner Geeta Bin 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 Adhoc Additional Sessions Judge, 1st, Bagaha, West Champaran in Sessions Trial No. 274 of 2014 arising out of Choutarawa (Bathawariya) P.S. Case No. 82 of 1994, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of

the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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