

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28487 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

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1. Nunumani Yadav @ Nunu Yadav @ Nunumani Kumar S/o Radheshyam
Yadav resident of Village - Maria (Bargaon), P.S. - Basnahi, District -
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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

4 10-12-2015

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, 379, 307 and 34 of the I.P.C and
section 27 of the Arms Act.

Allegedly, six unknown criminals riding on two
motorcycles snatched the motorcycle of Chandan Kumar and on
information the informant and Niketan @ Munna Kumar chased
the criminals and in that course criminals fired two shots at
Niketan @ Munna Kumar and he died and further the criminals
fired shot at the informant causing injury in his head and thereafter
the miscreants fled away with the motorcycle of the informant

wherein photo copy of document of the vehicle and Bank etc. were kept.

Submission is of false implication and that the petitioner is the school going boy having no criminal antecedent. He is not named in the FIR. He has not been put on test identification parade. Nothing has been recovered either from the house of the petitioner or from his possession and in the entire case diary there is no cogent and tangible material against him and only on weak evidence he is suffering in custody since 16.01.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. after going through the case diary does not oppose the aforesaid contention.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted, the 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 C.J.M. Madhepura in Murliganj P.S. Case No. 05 of 2015/ G.R. No. 83 of 2015, 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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