

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10504 of 2015

Arising Out of PS.Case No. -31 Year- 2011 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Sheru Singh @ Omkar Nath Singh @ Onkar Nath Singh S/o Krishna Singh Resident of Village Dullahpur, P.S. Simri, District Buxar.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Radha Mohan Singh

For the Opposite Party : Mr. Nagendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-03-2015 Petitioner is languishing in custody since 20.05.2013 in a case registered for the offences punishable under Sections 302/34 of the I.P.C and Section 27 of the Arms Act.

It is alleged that six miscreants riding on two motorcycles shot dead the uncle of the informant Bharat Rai. The informant identified Mantu Mishra and Chandan Mishra. The name of the petitioner sprang up during investigation.

It is submitted by learned counsel for the petitioner that though accusation of firing is against six persons but the postmortem reflects only two fire arm injuries and Mantu Mishra who has been identified on the spot, has been granted bail vide Cr. Misc. No. 3613 of 2012.

The impugned order reflects that petitioner

refused to appear for the test identification parade.

It is submitted by learned counsel for the petitioner that since a newspaper publication was made with the photograph of the petitioner that petitioner has owned the involvement in commission of crime, hence such test identification parade was meaningless.

Considering the fact that identified accused has been granted bail, let the petitioner, above named, 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 learned Additional District Judge-IV, Buxar in connection with Sessions Trial No. 152 of 2013, arising out of Buxar (Industrial) P.S. Case No. 31 of 2011.

Since the petitioner has serious criminal antecedent, let learned Court below cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in serious nature of offence or defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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