

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17541 of 2015

Arising Out of P. S. Case No. -23 Year- 2011 Thana -BUXAR INDUSTRIAL
District- BUXAR

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Sheru Singh @ Onkar Nath Singh son of Krishna Singh Resident of village
- Dullahpur, P.S. - Simri, District - Buxar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

7 03-09-2015

Heard both sides.

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

The informant named two persons, namely, Jahanghir Khan and Ijhar Khan and one unknown and alleged that two out of them, made firing causing the death of Nausad. The petitioner is not named in the FIR. His name surfaced in the case in the statement of informer of the police and on such, he was arrested. Name of Chandan Mishra, Sheru Singh, Sonu @ Salim Ansari and Pankaj Choubey also figured during course of investigation, although the informant did not state about the presence of any

fourth accused on the occurrence. Except confession of co-accused, there is no material on the record to show the involvement of the petitioner. The petitioner has already remained in jail for more than two years.

Of course, the petitioner has got criminal antecedent, but in the present case there appears no tangible evidence, except confessional statement, and the trial is still going on even after direction of this Court to conclude the same within six months vide order dated 4.10.2013.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 A. D. J., VI, Buxar in connection with Buxar (Industrial) P. S. Case No. 23 of 2011.

(Prabhat Kumar Jha, J)

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