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SATYA NARAIN SHARMA @ SATAYA NARAYAN SHARMA S/o
Late Jaishree Singh resident of Village Shahjahanpur, P.s Bikram, District
Patna.

Versus

.... Opposite Party

For the Petitioner : Mr. Sada Nand Ray, Advocate.
For the Opposite Party : Mr. Indu Kumari Srivastava (App)

2 09-06-2015 The petitioner is languishing in custody since
21.04.2011 in connection with Bikram P.S. Case No. 07 of 2011
for the offences instituted under Sections 302, 120(B)/34 of the
I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that one Nikki Devi got her statement recorded on 11.01.2011 stating therein that she lives in her village house at Shahjahanpur and was sleeping in her house and her servant was sleeping in the room outside the house on 10.01.2011. At 11.30 hours at night, the servant called the informant to open the door. When the informant came at the door



she saw that accused Jai Kumar, Raj Kumar and Pintu Kumar armed with pistol aiming their arms from very close range on the Kanpati of domestic servant and they in threatening language pressed the informant to open the door saying that she raised alarm, she will be shot down. Out of fear, the informant opened the door thereafter 10-12 persons armed with gun and pistol entered into the house of the informant and out of these accused informant identified Jai Kumar Singh, Raj Kumar Singh, Pintu Singh and Baban Singh. The accused asked for the licensee arm kept in the house then out of fear, the informant went to her room and opened the almirah from where the accused took licensee rifle, gun revolver and 75 live cartridges, golden and silver ornaments and Rs. 3,000/- cash from the almirah and they tied the hands of the informant and tried to commit rape on her. When the domestic servant Rajesh Kumar protested then they dragged him in drawing room and shot fire upon as a result of which he died. Thereafter, accused persons fled away with looted articles. The reason behind the occurrence has been disclosed that the accused persons tried to commit murder of husband and father-in-law of the informant in which the brother of the accused Jai Kumar, namely, Law Kumar died. Due to that occurrence was committed.

It has been submitted on behalf of the petitioner that at

the relevant time when the occurrence is said to have taken place he was in custody. Further it has been submitted that the petitioner is not named in the F.I.R. It has further been submitted that in course of investigation, on the basis of confessional statement of co-accused, the name of the petitioner figured in the present case. It is further submitted that the petitioner is in custody since 21.01.2011. It has further been pointed out that other co-accused in the present case, have also been granted bail by this Court.

On behalf of the State, it has been submitted that the petitioner played active role in the present case.

Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge-V, Danapur, Patna, in connection with Sessions Trial No. 1562 of 2011, Tr. No. 375 of 2015, arising out of Bikram P.S. Case No. 07 of 2011.

U.K./-

(Sudhir Singh, J)

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