

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32003 of 2015**

Arising Out of PS.Case No. -139 Year- 2014 Thana -BAKHRI District- BEGUSARAI

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1. Pramod Bind Son of Kamo Bind resident of village- Parihara, P.S. Bakhri  
,District Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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

3      05-11-2015      Heard learned counsel for the petitioner and learned  
A.P.P. representing the State.

The petitioner seeks bail in connection with Bakhri  
P.S. Case No. 139 of 2014 registered for the offences punishable  
under Sections 302/34 of the Indian Penal Code and Section 27 of  
the Arms Act.

Allegedly when the informant was sitting at her  
residence, F.I.R. named accused persons including the petitioner  
being armed with pistol came and surrounded her husband and  
took away towards Khalifa Baba Asthan. The informant also went  
there and requested not to do such act but Naresh Bind shot her  
husband and thereafter all accused persons shot fire and fled away.  
Occurrence was seen by Kala Devi, Shri Lal Nagar and Udgar

Nagar and others and when her husband was brought for treatment he died in the way.

Submission is of false implication and that during investigation the witnesses Kala Devi, Fulo Nagar and further the informant in her further statement have specifically stated that Naresh Bind has shot which hit in the chest of husband of the informant and thereafter Nandan Sahani shot which hit in the temporal region and then other accused person also fired so specific allegation against Naresh Bind and Nandan Sahani for causing fire arm injury on the vital parts of the deceased and there is general and omnibus allegation against the petitioner. He is in custody since 20.09.2014, having no criminal antecedent. Similarly situated co-accused Fulchand Bind has been allowed bail vide order dated 09.10.2015 passed in Criminal Misc. No. 25936 of 2015.

The learned A.P.P. fairly submits that during investigation specific allegation has been levelled against two above named co-accused.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned

C.J.M., Begusarai arising out of Bakhri P.S. Case No. 139 of 2014 subject to the conditions that one of the bailors must be 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.

sushma/-

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(Jitendra Mohan Sharma, J)