

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30853 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -DHANGAI District- BHOJPUR

=====

Ritesh Kamkar Son of Ramesh Kamkar resident of village - Dalipur, P.S.
Dhangai, District - Bhojpur at Ara

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party : Mr. Shailendra Kumar Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act. Later on after death of the informant Section 302 of the Indian Penal Code was added.

The informant, deceased named five persons Antu Singh, Mantu Singh, Pintu Singh, Raja and Shatrughan Singh and alleged that all the five made indiscriminate firing. The informant received firearm injury in his abdomen. During the course of treatment, the informant died. The petitioner is not named in the FIR.

It is submitted that the name of the petitioner figured in the case from the mouth of the witnesses that the petitioner was seen talking with the accused persons.

On the other hand Shri S.K. Lal, learned counsel for the

informant as well as the learned APP vehemently opposed the prayer for bail and submitted that the petitioner conspired and after hatching conspiracy the Dafadar was killed.

On perusal of the order of the learned Sessions Judge, it appears that except the statement of the witnesses who saw the petitioner talking to the accused persons, the I.O. has not collected any further evidence.

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 the learned Chief Judicial Magistrate, Bhojpur at Arrah in Dhangai P.S. Case No. 16 of 2015.

On the request of the learned counsel for the informant, if the case is not committed to the court of Sessions, the learned court who is in seisin of the case shall forthwith commit the case and thereafter the trial court make all efforts for conclusion of the trial within nine months.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--