

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34978 of 2015

Arising out of PS.Case No. -169 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA
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Shravan Sada @ Shravan Kumar, Son of Baso Sada, resident of Village Aini (Rudra Asthan), Police Station - Bakhtiyarpur (Balwahat O.P.), District - Saharsa.

..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Maharaj, Advocate.
For the Opposite Party : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 27.05.2015 in connection with Bakhtiyarpur P.S. Case No. 169 of 2015 for the offences instituted under Sections 302/34 of the IPC and 27 of the Arms Act.

It is alleged that the petitioner and others fired upon the husband of the informant as a result of which, he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 27.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence.

The alleged occurrence is said to have taken place on 05.05.2015 and the case has been instituted on 06.05.2015 as to when the local police station is only at the distance of 8 K.M. No explanation in respect to delay in institution of the case has been furnished by the prosecution. General and omnibus allegation has been made against the petitioner. No specific injury has been attributed against him.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

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 C.J.M., Saharsa, in connection with Bakhtiyarpur P.S. Case No. 169/2015.

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(Sudhir Singh, J)