

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51526 of 2014

Arising Out of PS.Case No. -50 Year- 2010 Thana -PIPARIYA District- LAKHISARAI

1. Shiv Singh @ Shiv Kumar Sharma Son of Shri Dashrath Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kr.Singh(APP)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 03-04-2015 Supplementary affidavit is filed on behalf of the petitioner.

Heard learned counsel for the petitioner, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Admittedly, for the occurrence of 18.11.2010, the complaint case bearing Complaint Case No. 670 C of 2010 was filed on 22.11.2010 and on the basis of aforesaid complaint case, Pipariya P.S. Case No. 50 of 2010 was registered for the offences punishable under Sections 147, 148, 149, 324, 364, 302, 201 of the

Indian Penal Code and 27 of the Arms Act.

In the complaint petition, no specific overt-act has been attributed against the petitioner but it is submitted on behalf of the informant that in course of investigation, at para 33 of the case diary, one tractor driver disclosed that it was petitioner who shot fire on the deceased.

There is case and counter case between the parties and admittedly, for the occurrence of the same day, one Pipariya P.S. Case No. 49 of 2010 was lodged against the witnesses of the present case as well as others on the same day i.e. on 18.11.2010.

No doubt, persons from both the sides died in the alleged occurrence but taking note of above stated facts as well as submissions of the parties and also keeping in mind that having more or less similar allegation, several co-accused persons have already been granted privilege of regular bail by different Benches of this Court, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in connection with Pipariya P.S. Case No. 50 of 2010, subject to condition that he shall attend the trial court on each and every date in person for the period of one year or till conclusion of his trial whichever is earlier and if he fails to do so on three

consecutive dates without any genuine cause, the concerned court shall cancel the bail bonds of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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