

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24025 of 2015

Arising out of PS.Case No. -136 Year- 2014 Thana -SISWAN District- SIWAN

Raj Kishore Sharma @ Munna Sharma, Son of Late Mosafir Sharma,
resident of village - Ramgarh, Police Station - Siswan (Chainpur O.P.),
District – Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party : Mr. Parmeshwar Mehta(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioner is languishing in custody since
07.04.2015 in connection with Siswan (Chainpur O.P.)P.S. Case
No. 136 of 2014 for the offences instituted under Sections 341,
323, 324, 379, 307, 506/34 of the I.P.C. and 27 of the Arms Act.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that the informant
was doing a business of shop of Government liquor in partnership
of Kamlesh Kumar Singh of his villager on 09.09.2014 at 9.00
P.M. while he was doing with his partner Kamlesh Kumar Singh
with sales price of Rs. 55,300/- on the way at Nagai More Krishna
Kumar Sharma, Raj Kishore Sharma @ Munna Sharma armed



with pistol, Vijay Sharma armed with rod, Ratnesh Sharma and Fufa of Krishna Kumar Sharma, Raj Kishore Sharma and Vijay Sharma armed with Danda and Lathi got the motorcycle stopped forcibly and then Krishna Kumar Sharma, Raj Kishore Sharma @ Munna Sharma ordered to kill him for the reason that he was not providing wine to them on their demand in the meanwhile Kamlesh Kumar Singh escaped from there in the meanwhile all the accused persons started assaulting with rod, lathi and Danda in result he fell down, and, thereafter, Krishna Kumar Sharma snatched golden chain from his neck while Raj Kishore Sharma took sales price which he has taking away and fled away on seeing coming and going to the persons there. He stated that because of assault he received injuries on head, forehead, lip and chest.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that general and omnibus allegation has been made against the petitioner. No specific injury has been attributed. Further from perusal of the injury report which is annexure-2, it appears that the injury caused are simple in nature. It is further submitted that the petitioner is in custody since 07.04.2015. It is further submitted that the petitioner may be released on bail after completion of six months in custody.

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 after completion of six months in custody from 07.04.2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Siwan, in connection with Siswan (Chainpur O.P.) P.S. Case No. 136 of 2014.

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(Sudhir Singh, J)