

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46668 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -RUNNISAI DPUR District- SITAMARHI

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1. Karan Ram son of Binod Ram, R/o village- Ganguli, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 68 of 2014 registered for the offences punishable under Sections 307, 120B/34 of the Indian Penal Code.

Allegedly three motorcycle borne criminals with Honda Shine motorcycle came at the shop of the informant and opened firing which hit the labour Ranjit Kumar in his stomach and the informant fled away and thereafter the miscreants fled away after making slogan. During investigation it transpires that the petitioner, being the member of group of Sarvesh Das, due to non-fulfillment of demand of ransom, has committed the crime with his associates.

Submission is of false implication and that there is no eye witness of the occurrence. The witnesses examined during investigation, have stated that the petitioner used to demand ransom on behalf of leader Sarvesh Das. No one has seen the petitioner at the time of committing the crime. There is no eye witness of the occurrence and after about four months, two witnesses have claimed that they saw the petitioner fleeing away after the occurrence along with others and, as such, the petitioner who is suffering in custody since 13.03.2015, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that deceased died during treatment and the witnesses have stated that the petitioner used to demand the ransom and further he was seen fleeing away after the occurrence.

In the facts and circumstances stated above, considering that no T.I. parade has been held and after four months of occurrence, two witnesses have come to say that the petitioner was fleeing away after the occurrence and, as such, the petitioner above named is 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., Sitamarhi arising out of Runnisaidpur P.S. Case No. 68 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.

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(Jitendra Mohan Sharma, J)