

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6762 of 2015

Arising Out of PS.Case No. -35 Year- 2013 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

1. Sanni Kumar @ Sanni Patel Son of Ramji Prasad Resident of
Village/Mohalla - Basawaria, P.S.- Bettiah, Town, District - West
Champarn

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad

For the Opposite Party/s : Mr. Amrendra Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Narkatiyaganj Rail P.S. Case No. 35 of 2013 registered for the
offences punishable under Sections 302 of the Indian Penal Code
and Section 27 of the Arms Act.

Some unknown person shot dead one person in
Coach No. S-14 of Train No. 19040 and it was revealed that when
the train was started from Bagaha Railway Station firing was
made. During investigation it has come that Shashi Bhushan Singh
@ Fauji Singh has stated about his complicity in the crime and
against the petitioner it has come that he was seen moving near the

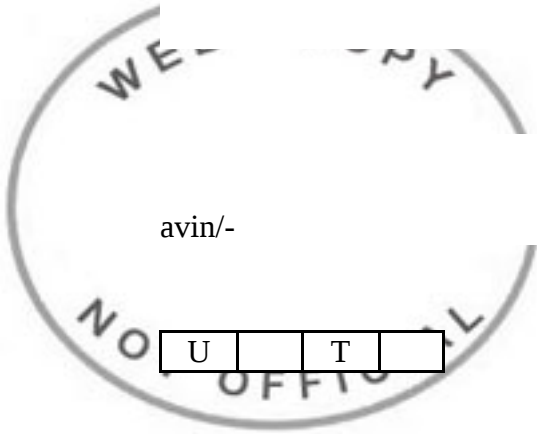


railway station when the father of the deceased has come to railway station for boarding his son and further his son telephonically informed his father that Raghav Yadav, Jitendra Yadav and petitioner have boarded in the Boggi but after one hour the phone call was not attended and then his son Dipu was found killed and accordingly, suspicion has been raised against this petitioner also.

Submission is of false implication and that when Fauji has confessed his guilt, then only on the basis of suspicion the petitioner is being implicated. Call details were also obtained but the petitioner was not found involved in this case and, as such, the petitioner deserves sympathetic consideration to which the learned APP fairly submits that in para 133 of the case diary only it has come that the petitioner was also boarded in that boggi wherein son of the witness Kaleshwar Ojha was boarded.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall 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 Chief Judicial Magistrate, West Champaran, Bettiah in connection with Narkatiyaganj Rail P.S.

Case No. 35 of 2013, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.



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(Jitendra Mohan Sharma, J)