

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45326 of 2015

Arising Out of PS.Case No. -689 Year- 2014 Thana -SAHARSA District- SAHARSA

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1. SHAMBHU KUMAR SUMAN@SHAMBHU YADAV Son of Sri
Bhumi Prasad Yadav @ Bhuneshwari Prasad Yadav @ Bholi Yadav,
resident of village- Arraha, P.S. Saur Bazar, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy-1
Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Gulnar Begum,A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-12-2015 Heard learned counsel for the petitioner and the learned

counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Saharsa (Sadar) P.S.Case no. 689 of 2014 for the offence
registered under Section 302/34 of the Indian Penal Code and 27
of the Arms Act.

In the present case, case diary was called for, which has
since been received.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case because
of land dispute between the parties. He further submits that the
petitioner is a constable in Central Reserve Police Force at Jamui

(Bihar) and at the time of occurrence he was very much present in Jamui Campus and was on duty. He also submits that the Commandant has given a certificate to that effect. He further submits that though his presence has been stated at the place of occurrence, no particular role has been assigned to the petitioner.

Considering the aforementioned facts and that no rule has been assigned to the petitioner and also that he is a constable of Central Reserve Police Force, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date receipt/production of a copy of this order, 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 learned C.J.M., Saharsa in connection with Saharsa(sadar)P.S.Case No. 689 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

It is made clear that the petitioner shall present himself in the court below on each and every date fixed in the case, so that the trial of the case is not hampered.

(Anjana Mishra, J)

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