

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28923 of 2015

Arising Out of PS.Case No. -10 Year- 2010 Thana -NAUGACHIA District- BHAGALPUR

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Lalan Singh S/o Late Nandan Singh, R/o Village- Pakra, P.S.- Naugachia,
District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 24-07-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 302,
120B of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the petitioner
and others resorted to indiscriminate firing and killed the
nephew of the informant, namely, Rakesh.

It is submitted by learned counsel for the
petitioner that the petitioner was not sent up for trial but
differing with the final form cognizance has been taken against
the petitioner also vide order dated 30.08.2013 passed by learned
ACJM, Naugachia. It is further submitted that co-accused Ram

Chandra Roy, who was initially charge-sheeted and was put on trial vide Sessions Trial No. 471 of 2011 has been acquitted vide judgment dated 28th of March, 2014 passed by learned Ad hoc Additional Sessions Judge, Naugachia since the informant has not supported the accusation to the extent that he could not see anyone firing at the victim.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachia in connection with Naugachia P.S. Case No. 10 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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