

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28398 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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Hado Singh @ Ramashray Singh son of Late Mathura Singh R/o Village -
Nandpur, P.S. - Suryagarha, District - Lakhisarai.

... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 09-10-2015

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner apprehends his arrest in connection with
Suryagarha P.S. Case No. 60 of 2015 registered for the offences
punishable under Sections 147, 148, 149, 342, 324, 326, 307, 504
and 506 of the Indian Penal Code and Section 27 of the Arms Act
and later Section 302 was added.

Learned counsel for the petitioner submits that
informant is the sister-in-law of the deceased. Informant's dewar
(deceased) came to her house for taking meal in the evening at 6
O'clock, in the meantime accused persons having rifle and pistols
in their hands, arrived there and started firing and her dewar was
chased by them, the accused persons fired on him on the order of
the petitioner. It is further submitted that the allegation, as made
out by the informant, is that the person who had fired at the

deceased, may have been present at the place of occurrence. Since it is not the house, where petitioner had allegedly first approached, and was subsequently chased, the informant had heard that the petitioner had given order for firing at the deceased.

Learned counsel for the State after perusal of the case diary submits that there is no cogent material in the case diary, save and except, the statement of the informant and it appears that all persons reached at the place of occurrence later.

Considering the aforesaid submissions and also the fact that there is series of litigation between the parties, in which the petitioner has also been accused, as has been stated at paragraph-3 of the application, 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 of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 60 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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