

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50124 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -SHANKARPUR District- MADHEPURA

.Birendra Chaupal Son of Baldev Sharam @ Baldev Chaupal resident of village - Raibhir, P.S. - Shankarpur, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Dinesh Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Shankarpur P.S. Case No. 88 of 2014 for the offences punishable under Sections 341, 323, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is named in the F.I.R. and it is alleged that he and Laltu Yadav caught the informant and touched the pistol at his temple

Submission is of false implication due to village politics, he is not the assailant nor has caught the deceased and

similarly situated other co-accused namely, Laltu Yadav, Umesh Yadav, Chandrahans Chaupal and Bilash Mahato, have already been allowed bail by different Benches of this Court.

Learned APP does not dispute the aforesaid submissions.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura arising out of Shankarpur P.S. Case No. 88 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.

Rajiv/-

(Jitendra Mohan Sharma, J)

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