

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33949 of 2015

Arising Out of PS.Case No. -236 Year- 2014 Thana -SAHPUR District- BHOJPUR

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Surendra Ray @ Chikhari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rishikesh Ojha, Advocate

For the Opposite Party/s : Mr. Rina Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that co-accused Birendra Ray and Munna Ray including the petitioner resorted to fire on the aunt of the informant who, subsequently, succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the post-mortem reflects only one injury, hence, it could not be ascertained as whose firing caused injury to the aunt of the informant. Considering the above fact, similarly situated accused, namely, Yogendra Ray @ Yogendra Ram and Birendra Ray @ Birendra Ram, have been granted regular bail vide Criminal

Miscellaneous No.1154 of 2015.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner keeping in view of the fact that similarly situated co-accused have been granted bail, if the petitioner surrenders within a period of six weeks in connection with Sahpur P.S. Case No.236 of 2014, pending before the learned Chief Judicial Magistrate, Bhojpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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