

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10988 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -BHAPATIYAH I District- SUPAUL

1. Sunil Kumar Mehta @ Sunil Mehta, Son of Ashok Mehta, Resident of Village- Simri, Police Station- Bhaptiyahi, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra
Mr. A. Kumar, Adv.
For the Opposite Party No. 2: Mr. Naresh Kr. Mehta .
For the State Mr. M. RAB (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioner, learned A.P.P. representing the State and learned counsel for the informant.

The petitioner seeks bail in connection with Bhaptiyahi P.S. Case No. 01 of 2016 registered for the offences punishable under Sections 324, 307/34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, Mukesh Kumar Mehta, the son of the informant was in the shop and then in the evening three persons came and started opening fire upon the son of the informant and then the informant came and saw the miscreants and identified the petitioner only. It is alleged that Birendra Yadav, Satyadeo Yadav

and Ram Kumar Mehta with his associates Sunil Mehta and others have injured the son of the informant due to earlier dispute.

Submission is of false implication and that injured has given his statement which is recorded in para-6 of the case diary wherein, he has not named the petitioner and he has stated that Birendra Yadav, Satyadeo Yadav and Raj Kumar Mehta shot him and further during investigation confessional statement of Md. Ismayil has been recorded and he has not named the petitioner vide para 108 of the case diary and, as such, the petitioner deserves sympathetic consideration as he is in custody since 06.01.2016.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Supaul in connection with Bhaptiyahi P.S. Case No. 01 of 2016 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.

(Jitendra Mohan Sharma, J)

sushma/-

U			
---	--	--	--