

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13091 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -PIRI BAZAR District- LAKHISARAI

1. Chhotha Saw @ Jhotha Saw @ Indradeo Saw S/o Shyam Kishore Saw
Resident of village - Maheshpur Charo, P.S. Piri Bazar, District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Navin Kr. Panday (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Piri Bazar P.S. Case No. 61 of 2015 registered for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

Allegedly, the petitioner and other co-accused took away Baleshwar Yadav from his house and after 3-4 hours, they threw the dead body of deceased in front of the house of the informant.

Submission is of false implication, there is no eye witness of the occurrence, the alleged identification appears not reliable and probable, other co-accused, namely, Shailendra Kumar @ Sally Mandal and Sanjay Mandal have already been

allowed bail vide Cri. Misc. Nos. 8493/16 and 18861 of 2016 by another co-ordinate Benches of this Court and the petitioner is suffering in custody since 03.11.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that similarly situated co-accused have already been allowed bail.

In the facts and circumstances stated above, the petitioner, above named is also 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 Sub-divisional Judicial Magistrate, Lakhisarai in connection with Piri Bazar P.S. Case No. 61 of 2015 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)

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