

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15223 of 2016

Arising Out of PS.Case No. -517 Year- 2015 Thana -MARHAURA District- SARAN

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Dharmendra Singh, son of Sri Dipnarayan Singh, resident of village-Sherpur, P.S.- Marhwarah, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Sahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is not named in the first information report and according to prosecution case itself, F.I.R. named accused and three unknown persons made indiscriminate firing on the deceased, but it appears from perusal of the impugned order as well as submissions of the parties that in further statement, the informant stated the name of the petitioner and also stated that petitioner had participated in the alleged crime.

Learned counsel for the petitioner submits that had the informant identified the petitioner at the time of alleged occurrence, he would have certainly named the petitioner in his

fardbeyan because the fardbeyan was lodged after six hours of the alleged occurrence and moreover, petitioner does not have any criminal antecedent and is languishing in jail custody since 28.12.2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-II, Saran at Chapra in connection with Marhaura P.S. Case No.517 of 2015.

(Hemant Kumar Srivastava, J)

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