

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18117 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -BIND District- NALANDA (BIHARSHARIFF)

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1. Dharmendra Chaudhary Son of Hazari Chaudhary resident of village -
Sugiya, P.S. Shekhopur Sarai, District - Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-06-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under section 302/34 of the I.P.C and section 27 of the

Arms Act.

Allegedly, Rambali Chaudhary was shot dead by the

unknown miscreants and during investigation it transpires that the

SIM which was used to talk with the deceased lastly was also used

in the mobile of the petitioner.

Submission is of false implication and that besides

suspicion there is nothing against the petitioner, no legal and

tangible material has been collected against the petitioner and after

conducting perfunctory investigation charge sheet has already been submitted resulting the petitioner is suffering in custody since 12.02.2016.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by pointing out the said fact.

In the facts and circumstances as stated above, considering that the investigation has already been completed and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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.-VI, Nalanda at Bihar Sharif in Bind P.S. Case No. 17 of 2016, subject to the conditions that one of the bailors must be a 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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