

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21995 of 2016

Arising Out of PS.Case No. -356 Year- 2015 Thana -BUXAR District- BUXAR

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1. Alok Thakur Son of Late Sushil Thakur @ Late Shushil Thakur resident of village - Mitralok Colony Buxar, Police Station Buxar (M), District - Buxar Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Buxar (T) P.S. Case No. 356 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 326, 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other five co-accused opened indiscriminate firing upon Manmohan Singh, the brother of the informant, and other co-accused were instigating to kill him. It is also alleged that in committing crime there is conspiracy of other co-accused also.

Submission is of false implication and that there is no specific allegation against the petitioner, the allegation is omnibus and general in nature, during investigation the informant in his further statement and other witnesses have stated the name of 10 accused along

with 2-3 unknown and they were instigating for opening fire and in this case other co-accused namely, Raju Yadav, Ram Pravesh Singh, Chandan Singh, Pradeep Keshari, Narendra Kumar Pathak and Raju Thakur have already been allowed bail and the petitioner is suffering in custody since 14.09.2015 to which learned APP submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that there is no specific allegation against the petitioner and chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Additional Sessions Judge VI, Buxar in S. T. No. 21 of 2016 arising out of Buxar (T) P.S. Case No. 356 of 2015, 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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