

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22812 of 2016

Arising Out of PS.Case No. -44 Year- 2008 Thana -DUMARIA District- GAYA

Tuntun Bhuiya, Son of Shivan Bhuiya, resident of village- Bhadvar, P.S. Dumariya, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party : Mr. Dinesh Singh(APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Dumariya P.S Case No. 44 of 2008 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and under section 27 of the Arms Act.

Allegedly, the husband of the informant was found shot dead and it is alleged that the petitioner and others due to land dispute have killed him. It is also alleged that the petitioner and other have taken away Pratap Bhuiya, the son of the informant who is also traceless.

Submission is of false implication and that beside suspicion there is nothing against the petitioner, without any legal

and cogent material, the petitioner is suffering in custody since 20.07.2015, due to land dispute the petitioner has been implicated and as such, he deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner is named in the First Information Report.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sherghati (Gaya), arising out of Dumariya P.S. Case No. 44 of 2008, 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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