

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50531 of 2015

Arising Out of PS.Case No. -156 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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1. Awadhesh Singh S/o Rajdeo Singh R/o Karmakala P.S. Daudnagar, Dist-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

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

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

3 10-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 307 and 302 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner and other FIR named accused persons assaulted Chandan Kumar, cousin of the informant, with Lathi-Danda and when he was fleeing away he was caught by the petitioner and others and co-accused Arvind Singh shot Chandan Kumar causing his death.

Submission is of false implication and that there is case and counter case, due to previous enmity the petitioner has been implicated, during postmortem only one injury has been

found on the person of the deceased which was caused by the fire arm and that the allegation is against co-accused Arvind Singh and not against the petitioner and as such the petitioner who is suffering in custody since 18.06.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that the petitioner is not the assailant, he 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 C.J.M. Aurangabad in Daudnagar P.S. Case No. 156 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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