

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50439 of 2015**

Arising Out of PS.Case No. -24 Year- 2009 Thana -SAMHO District- BEGUSARAI

1. Ram Shankar Singh S/o Upendra Singh R/o vill.- Mahindrapur, P.S.-  
Nayagaown Dist. Begusarai..... Petitioner

Versus

1. The State of Bihar ..... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Pushpa Sinha - 2 (App)

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

**ORAL ORDER**

2      04-01-2016                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Samho  
P.S. Case No. 24 of 2009 registered for the offences punishable  
under Sections 364, 302/34, 201 of the Indian Penal Code and  
Section 27 of the Arms Act.

The petitioner and other four co-accused named in the  
FIR and five unknown pushed the bicycle of the son of the  
informant and after assaulting him have taken away.

Submission is of false implication due to enmity, there  
was no intention to commit the occurrence and similarly situated  
co-accused Upendra Chaudhary, Balram Chaudhary, Jai Kishore  
Chaudhary, Kaushal Chaudhary and Ramashish Chaudhary have  
been allowed bail by different Benches of this Court vide

annexure-2 series and as such the petitioner who is suffering in custody since 03.09.2015 also deserves sympathetic consideration as he being the son-in-law of co-accused Upendra Chaudhary has been implicated.

Learned APP is not in a position to distinguish the case of the petitioner from those co-accused who have been allowed bail.

In the facts and circumstances stated above, 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 Sri Rameshwar Mishra, J. M. Ist Class, Begusarai in connection with Samho P.S. Case No. 24 of 2009, 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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