

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56166 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -MAIRWA District- SIWAN

=====

1. Ramesh Dixit @ Pappu Dixit @ Rakesh Dixit Son of Late Chandrika
Dixit resident of Vill- Bishunpura P.S.- Bankata Distt- Deori
2. Pramod Singh S/o Late Ram Chandra Singh Resident of Village- Pipara,
P.S.- Mairwa, District- Siwan

.... Petitioners

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey

For the Opposite Party/s : Mr. Rina Sinha(App)

=====

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

ORAL ORDER

4 15-02-2016

Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Mairwa P.S.
Case No. 65 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 302 and 429 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioners, other FIR named accused
persons and three unknown went to the house of the informant and
made indiscriminate firing causing the death of Jitendra Singh, the
nephew of the informant. During investigation it transpires that it
was co-accused Tribhuwan Singh who shot the deceased dead and
the petitioners were the members of the mob.

Submission is of false implication and that other co-

accused Jai Narayan Tiwari and Anuj Tiwari have already been allowed bail by another Bench of this Court and as such the petitioners who are suffering in custody since 03.06.2015 and 30.06.2015 respectively also deserve sympathetic consideration.

Learned APP is not in a position to distinguish the case of the petitioners from that of those co-accused who have been allowed bail by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 65 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--