

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34869 of 2015

Arising Out of PS.Case No. -331 Year- 2014 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Brajesh Mishra @ Brijesh Mishr son of Vishwanath Mishra resident of
Village - Chhota Bariyarpur, P.S. - Chhatauni, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 302,
307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner
has been falsely been implicated in the present case on account of
some land dispute. He submits that from perusal of the First
Information Report itself indicates that admittedly the shot was
fired from behind and there was no eye-witness to the said
occurrence. The name of the petitioner seems to have surfaced
subsequently on the statement of the informant who stated that
soon thereafter the petitioner was seen crossing on a motorcycle.

Learned counsel appearing on behalf of the informant

submits that two accused persons namely, Bhola Kumar and Abhishek Singh who were taken into custody have taken the name of this petitioner in their confessional statement, however, in their subsequent statement, it has been averred that the two other accused persons on the motorcycle were Abhishek Singh and Bhola Kumar themselves and not this petitioner.

Considering the aforementioned facts and circumstances and there being no further cogent material so as to implicate this petitioner, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 331 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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