

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47797 of 2016

Arising Out of PS.Case No. -524 Year- 2016 Thana -SAHARSA District- SAHARSA

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Abhash Kumar @ Shankar Sah S/o Mahendra Sahu Resident of Batraha,
Ward No.-20 @ Krishnanagar Ward No.-20, P.S.- Saharsa, District-
Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 07-12-2016 Heard Mr. Agrawal for the petitioner and the APP for the
State.

The petitioner prays for bail in Saharsa Sadar P.S. Case
No. 524 of 2016 registered under section 302/34 IPC as well as
section 27 of the Arms Act.

The informant was informed by his brother-in-law that his
younger brother was shot dead near Sulindabad school. On the
basis of the information given by the brother-in-law, the informant
has suspected the hands of the three accused persons including
the petitioner who are cited accuseds of the case.

Mr. Agrawal submits that apart from the confessional
statement of the arrested accused persons including the petitioner,



there is no tangible evidence incriminating the petitioner in the alleged offence except the suspicion. The petitioner has no criminal antecedents and is languishing in jail since 21.06.2016. Co-accused Ashutosh Kumar, who is similarly named in the FIR, has been released by this Court on bail vide order dated 02.12.2016 passed in Cr. Misc. No. 39786 of 2016.

Considering the facts and circumstances of the case, the petitioner above named shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Saharsa in Saharsa Sadar P.S. Case No. 524 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case he dodges his appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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