

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57731 of 2015

Arising Out of PS.Case No. -126 Year- 2012 Thana -PURAINI District- MADHEPURA

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Shankar Sah Son of Sukhadeo Sah Resident of Village -Kherho,P.s Puraini
District Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.
Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 08-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out of

Puraini P.S. Case No. 126/2012, disclosing offences under

sections 302/34 of the Indian penal Code.

 Learned Senior counsel, appearing on behalf of the

petitioner, submits that the informant, who has claimed to be the

eye witness of the occurrence, has made specific allegation against

the F.I.R. named accused persons, namely, Sunil Sharma and Jai

Kishore Sharma, of having shot at the deceased. He submits,

referring to the First Information Report, that there is absolutely

nothing in the F.I.R. nor any material has come in course of

investigation to connect the petitioner with the occurrence. He has submitted that the petitioner has been implicated because of politics at the local level and there is no chance that the petitioner shall be fleeing from the course of justice or tampering with the evidence.

Considering the submission and the fact that nothing could be collected in course of investigation against the petitioner, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Judicial Magistrate, 1st Class, Uda Kishunganj in Puraini P.S.Case No. 126/2012, G.R.No. 2213/2012, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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