

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23655 of 2016

Arising Out of PS.Case No. -368 Year- 2015 Thana -NAUBATPUR District- PATNA

Chandramauli Singh, Son of Late Bachha Prasad Sharma, resident of Village : Bela, P.S. Naubatpur, District : Patna, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pushpendra Priyedarshi, Advocate.

For the Opposite Party : Mr. Manoj Kumar-I(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 18.06.2015 in connection with Naubatpur P.S. Case No. 368 of 2015 for the offences instituted under Sections 147, 148, 149, 307, 302 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 18.06.2015, when the informant alongwith other persons was returning from his Nanihal after collecting money from Bataidar. In the way, the petitioner alongwith other co-accused persons assaulted the informant through bricks and stones. In the meantime, Ashutosh Sharma, this petitioner, Rahul Kumar and Tuntun Kumar have murdered the brother of the informant, namely, Ashwani Kumar

through fire arms, due to land dispute between the parties.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.06.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. General and omnibus allegation has been made against him. No specific injury has been attributed against him.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 learned A.C.J.M. 1st, Danapur, Patna, in connection with Naubatpur P.S. Case No. 368 of 2015.

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(Sudhir Singh, J)