

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3916 of 2016

Arising Out of PS.Case No. -5 Year- 2015 Thana -CHARIABARIYARPUR District- BEGUSARAI

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Ram Chandra Sahani @ Ram Sahani Son of Darogi Sahani, Resident of
Village - Sangat, P.S. - Bhagwanpur, District - Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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

2 12-02-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 201 and 34 of the Indian Penal
Code.

The petitioner is named in the first information report
with accusation that he along with others had killed Ganga Ram,
the nephew of the informant and this fact was brought to the
notice of the informant during search. From the impugned order, it
reveals that the witnesses, namely, Ram Charitra Chourasia,
Sailesh Kumar Chourasia, Kailash Chourasia, Alok Chourasia,
Mahendra Chourasia and Ramchandra Sahani vide paragraphs 10,
11, 12, 13 and 20 of the case diary have supported the prosecution
version, but have not stated the name of the petitioner.

Submission is of false implication and that in this case, co-accused Mahendra Chourasia and Alok Chourasia, who were seen taking away the deceased, have already been allowed bail vide Cr. Misc. No.44935 of 2015 by order dated 30.1.2016 and, as such, the petitioner also deserves sympathetic consideration as he is suffering in custody since 23.1.2015.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additioinal District and Sessions Judge IIrd, Begusarai in connection with Cheriabariyarpur P.S. Case No.05 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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