

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8372 of 2016

Arising Out of PS.Case No. -77 Year- 2011 Thana -MURAR District- BUXAR

1. Shankar Kumar Son of Rajendra Sah, Resident of Village- Vishunpur,
P.S.- Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-05-2016

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 307 and 34 of the I.P.C and section 27
of the Arms Act.

Allegedly, Kanhaiya Lal @ Kanya Lal and others
tried to kill the informant by causing fire arm injury in his left
palm and hydrocil.

Submission is of false implication and that the
petitioner is not named in the First Information Report, nothing
has been recovered from conscious possession of the petitioner, no
test identification parade has been conducted, after remand the
petitioner is in custody in this case since 18.09.2015, the name of
the petitioner has transpired in the confessional statement of co-

accused, other co-accused including Kanhaiya Lal, Upendra Kumar, Sandip Kumar and Ranjay Singh have already been allowed bail by another coordinate Benches of this Court and the petitioner is in custody.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is an accused in Nagali P.S. Case No. 71 of 2012 also.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, other co-accused have been allowed bail and as such the petitioner is also directed to 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 C.J.M. Buxar in Murar P.S. Case No. 77 of 2011, subject to the conditions that one of the bailors must be a 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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