

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10352 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -SALIMPUR District- PATNA

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1. Rajesh Singh Son of Krishna Singh Resident of village - Majhauli Bigha,
P.S. Salimpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Ram Naresh Ray (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Salimpur P.S. Case No. 45 of 2015 registered for the offences punishable under Sections 147, 148, 149, 324, 326, 307, 302, 429 and 120-B of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, Awadesh Singh the uncle of the informant reached at his door, in the meantime, seven accused persons named in the First Information Report, including the petitioner opened indiscriminate firing in which Awadesh Singh sustained fire arm injury and fell down and further one Dhiraj Kumar also sustained fire arm injury and subsequently Awadesh Singh succumbed to the injuries.



Submission is of false implication and that there is no specific allegation against the petitioner, against all the accused persons there is omnibus and general allegation but one lacerated wound was found on the person of Dhiraj Kumar caused by hard and blunt substance which is simple in nature, only two fire arm injuries were found on the person of the deceased, due to land dispute the occurrence has taken place and the petitioner has been falsely implicated and similarly situated other co-accused Naresh Singh has been allowed bail vide Cri. Misc. No. 3024 of 2016 and further other co-accused Shivjee Singh has also been allowed bail.

The learned A.P.P. fairly submits that the case of the petitioner is similar to that of co-accused Naresh Singh.

In the facts and circumstances stated above, the petitioner, above named, is also 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 the learned Additional District and Sessions Judge-II, Barh in connection with Salimpur P.S. Case No. 45 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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