

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22259 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -MANJHI District- SARAN

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1. Ashok Sah S/o lae Paras Sah R/o Village Makhdumganj, PS Manjhi
District Saran at Chapra. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Pranav Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 24-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Manjhi
P.S. Case No. 65 of 2016 registered for the offences punishable
under Sections 341, 323, 307, 379/34 of the Indian Penal Code
and 27 of the Arms Act

Allegedly, the petitioner and other FIR named accused
persons stopped the motorcycle of the informant, co-accused
Santosh Sah fired from his pistol causing injury on the chest of the
informant and then all the four accused persons assaulted the
informant with butt of the pistol and further the petitioner snatched
Rs. 1,00,000/- and fled away.

Submission is of false implication due to enmity,
nothing has been recovered from possession of the petitioner,
injury report of the informant does not corroborate the prosecution
version as besides fire arm injury over the left chest, only abrasion

and bruise have been found and, as such, assaulting by butt of the pistol over the head appears not reliable and further the allegation of snatching amount is superfluous to make the offence serious one, without any cause the petitioner is suffering in custody since 21.03.2016 and, as such, he deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering the detention of the petitioner, now he 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 the learned ACJM, Vth, Saran at Chapra in connection with Manjhi P.S. Case No. 65 of 2016 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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