

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50146 of 2015

Arising Out of PS.Case No. -173 Year- 2008 Thana -SHEKHPURA District- SEKHPURA

1. Pappu Sharma Son of Baleshwar Mistry @ Baleshwar Sharma Resident of Village - Sarmaidan, P.S. - Sheikhpora, District - Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. C.Jawahar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-01-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 302, 201 and 34 of the I.P.C

The present case has been instituted on the basis of the complaint petition with the allegation that the son of the complainant has been done to death by the petitioner and other in-laws.

Submission is of false implication, besides suspicion there is nothing against the petitioner. The petitioner is brother-in-law of the deceased. Nothing has come during investigation that where the son of the informant was killed and in this case other co-accused, namely, Baleshwar Mistry @ Bulaki Mistry, Shankar

Mistry, Renu Devi and Baiju Sharma have already been allowed bail by another coordinate Benches of this Court and the petitioner is suffering in custody since 01.09.2015 having no criminal antecedent.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from other co-accused.

In the facts and circumstances as stated above, 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. Sheikhpura in Sheikhpura P.S. Case No. 173 of 2008, 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.

(Jitendra Mohan Sharma, J)

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