

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10120 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -PASRAHA District- KHAGARIA

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Niranjan Das Son of Bishundeo Das Resident of Village Tehay P.s Pasraha
District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt. Anuradha Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Pasraha P.S. Case No. 91/15 for offences alleged under Sections

341, 448, 302, 120-B/34 of the Indian Penal Code and under

Section 27 of the Arms Act.

The prosecution case, as lodged by the informant,

is that co-accused Pankaj Sharma and Akhilesh Das shot at the

brother of the informant and at that time petitioner and other

accused persons were standing in the angan of the informant

armed with pistol.

It has been submitted by the learned counsel for

the petitioner that he has falsely been implicated in the aforesaid

case having no criminal antecedent and was just a bystander with no specific overt act alleged against him. It has further been submitted that no offence under Section 302 I.P.C. is made out against this petitioner.

However, learned APP for the State submits that the petitioner is named in the First Information Report and was present at the place of occurrence, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Khagaria, in connection with Pasraha P.S. Case No. 91/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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