

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57883 of 2015

Arising out of P.S. Case No. -317 Year- 2013 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Shamsher Singh Son of late Sarnath Singh Resident of Village- Barej, P.s
Mohania, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Lal Bahadur Pandey, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 22-01-2016 Heard Dr. Amarendra Kumar, learned counsel

appearing for the petitioner, learned counsel for the State and

counsel for the informant who has appeared suo motu.

The petitioner is in custody in connection with

Mohania P.S. Case No. 317 of 2013 for offences punishable under

Sections 341, 323, 506 of the Indian Penal Code. Subsequently

Section 302 was added to the set of allegations upon the death of

the grand father of the informant.

Dr. Amarendra Kumar, learned counsel appearing for

the petitioner with reference to the FIR submits that there is no

allegation against the petitioner of any assault which would lead to

the death of the informant which is only a matter of consequences.

He submits that it is in consideration of the allegation that the FIR

was instituted under bailable sections and upon death of the grand father of the informant that Section 302 has been added on 07.12.2013. He submits that the petitioner having surrendered pursuant to the order of this Court passed in Criminal Misc. No. 23007 of 2014, copy of which is placed at Annexure-1, the allegations by itself would reflect that there was no intent of the petitioner to cause the death of the victim.

Having heard learned counsel for the parties and considering the nature of allegations, let the petitioner Shamsheer Singh be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 317 of 2013.

(Jyoti Saran, J)

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