

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24979 of 2015

Arising Out of PS.Case No. -245 Year- 2011 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Shashibhusan Singh @ Fauzi Singh @ Shashibhusan Prasad Singh Son
of Suresh Prasad Singh Resident of village - Pagahiya (Motipur), Police
Station - Kathaiyan, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 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, 34 and 120 B of the I.P.C, section
27 of the Arms Act and section 34 of the Explosive Substance Act.

The petitioner is not named in the first information
report and during investigation the name of the petitioner
transpires.

Submission is that besides suspicion there is nothing
against the petitioner, in this case FIR named accused and others
have been allowed either regular bail or pre-arrest bail and the
petitioner is suffering in custody since 18.12.2013. The petitioner
in other cases except one is on bail and as such he deserves

sympathetic consideration.

The learned A.P.P. after going through the case diary fairly submits that there is no direct evidence against the petitioner and his name transpired only on suspicion.

Considering that co-accused Manibhushan Mishra @ Tuttu, Rajeev Thakur, Rajnikant Chaudhary, Shashibhushan Mishra @ Pappu Mishra and Pushpa Devi have already been allowed bail by another coordinate Benches of this Court vide Annexures- 2 and 3 series and as such 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 the Additional Sessions Judge, 9th, East Champaran at Motihari in Sessions Trial No. 536 of 2014 arising out of Chakia P.S. Case No. 245 of 2011, 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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