

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26665 of 2016

Arising Out of PS.Case No. -144 Year- 2016 Thana -BELHAR District- BANKA

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Mausam Singh S/o - Subodh Pd. Singh, resident of village - Bahorna P.S. -
Belhar (Kheshar) Dist - Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-07-2016 Heard Sri Chandra Mohan Jha, learned counsel for

the petitioner, Sri Dashrath Mehta, learned Addl. Public
Prosecutor as well as Sri Nirbhay Singh, who was assisted by
learned counsel for the informant.

The sole petitioner, who is in custody since
28.04.2016 in connection with Belhar (Kheshar) P.S. Case no.144
of 2016 registered for the offence under Section 147, 148, 149,
341, 324, 323, 307, 379, 504, 506 of the Indian Penal Code and
subsequently Section 302 of the Indian Penal Code was added, has
prayed for grant of bail.

Learned counsel for the petitioner submits that in
the F.I.R., the informant has specifically named nine accused
persons and she alleged about overt act committed by certain

accused persons. However, during investigation, the petitioner's name has come on the statement of one of the injured, who though had named the petitioner as one of the participants, nothing has been indicated as to whether the petitioner has been shown committing anything in the occurrence.

Learned Addl. Public Prosecutor and Sri Nirbhay Singh, learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner. It was submitted that at least the case discloses the name of the petitioner showing involvement in the occurrence.

Be that as it may, the petitioner was not named in the F.I.R. nor there is any specific accusation of overt act against the petitioner. Let the petitioner, namely, Mausam Singh be enlarged 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, Banka in connection with Belhar (Khesar) P.S. Case no.144 of 2016 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during trial, the petitioner will render full assistance to the trial court.

(Rakesh Kumar, J)

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