

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25233 of 2016

Arising out of P.S. Case No. -400 Year- 2015 Thana -
DANAPUR District- PATNA

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Lalli Sharma @ Lali Sharma, Son of Jai Prakash Sharma,
Resident of Mohalla- Danapur Daldali Road, P.S. Danapur,
District-Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Adv.

For the Opposite Party/s: Mr. Satyendra Pd. (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

03. 11.08.2016

Heard learned counsel for the Petitioner and
learned counsel for the State.

The Petitioner is languishing in custody since
02.09.2015 in connection with Danapur P.S. Case No.
400 of 2015 pending in the Court of Additional Chief
Judicial Magistrate, Danapur, Patna for the offences
registered under Sections 147, 148, 149, 341, 307, 302
and 120(B) of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, in brief, as alleged in the
FIR is that when the deceased, Dhanpat Rai and
Shambhu Rai were returning after consulting from the
APP, in the way, accused persons attacked them with
arms and murdered both of them.

It has been submitted on behalf of the petitioner

that the petitioner is in custody since 02.09.2015. Charge-sheet has been submitted in the case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the FIR. Subsequently, during investigation the petitioner's name transpired on the basis of suspicion. There is no direct or indirect evidence to suggest his implication in the present case. The other co-accused has been granted bail vide order dated 19.07.2016 passed in Cr. Misc. No. 24191 of 2016 by a co-ordinate Bench of this Court.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the Petitioner, above named 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 400 of 2015.

(Sudhir Singh, J.)

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