

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4940 of 2016

Arising Out of PS.Case No. -142 Year- 2008 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Pappu Singh Son of Ramagya Singh All resident of village- Majuraha,
P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. P.K.Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 17-03-2016 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Trial
No. 241 of 2015 arising from Harsidhi P.S. Case No. 142 of 2008
for the offences punishable under Sections 341, 323, 307, 504/34
of Indian Penal Code and 27 of the Arms Act.

Mr. Krishna Prasad Singh, learned Senior Counsel for the
petitioner while admitting to the fact that the petitioner has
belatedly approached this Court, submits that in the present case,
the petitioner was not sent up for trial as per final form submitted
on 30.10.2009. He submits that cognizance however was taken by
the Court below while differing from the opinion and cognizance
was taken on 5.2.2011 but since no notice was served on the

petitioner in this regard hence he was not aware and it is only when warrant has been issued that the petitioner has gathered information about the order taking cognizance. Adverting to the merits of the allegation he submits that the petitioner is an order giver and the allegation of firing is on accused Madhukar Thakur and Nawab Thakur respectively. He with reference to an order passed in Cr.Misc.No.13752 of 2009 submits that another order giver namely Ashok Thakur was granted anticipatory bail

Having heard learned counsel for the parties and in the circumstances taken note of, let the petitioner namely, Pappu Singh in the event of his arrest/surrender within four weeks from today, be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Motihari, East Champaran in connection with Trial No. 241 of 2015 arising from Harsidhi P.S. Case No.142 of 2008 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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