

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55325 of 2015

Arising Out of PS.Case No. -21 Year- 2011 Thana -SAMHO District- BEGUSARAI

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1. Ram Shankar Singh Son of Upendra Singh, R/o Vill. - Mahindrapur, P.S.
- Nayagaown, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Indu Bala Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 302/34 and 120 (B) of the I.P.C and section 27 of the Arms Act.

Allegedly, earlier son of the informant, namely, Subodh was killed in which other co-accused were the accused and they wanted that the earlier case be withdrawn, that was not done, then in conspiracy with others husband of the informant was killed. Allegation is that at the behest of Chandra Shekhar Chaudhary, Tuntun Chaudhary shot fire and then Shambhu Chaudhary also fired upon the husband of the informant and against the petitioner no overtact has been attributed.

Submission is that in this case other co-accused, namely, Kaushal Choudhary, Jai Kishore Choudhary, Sunil Choudhary, Balram Choudhary, Mukesh Choudhary, Ram Pravesh Choudhary and Chandra Shekhar Choudhary have been allowed bail and the case of the petitioner is either similar or on better footing, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the above named 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 Sri Rameshwar Mishra, J.M. 1st Class, Begusarai in Samho P.S. Case No. 21 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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