

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56386 of 2015

Arising Out of PS.Case No. -289 Year- 2015 Thana -DANAPUR District- PATNA

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Rahul Kumar son of Late Babloo Sao, resident at Pothia Bazar Danapur,
P.S.- Danapur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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

ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Danapur
P.S. Case No. 289 of 2015 registered for the offences punishable
under Sections 386, 307, 34 of the Indian Penal Code and
Section 27 of the Arms Act and Section 3(ii) (v) of the Schedule
Caste / schedule Tribe (Prevention of Atrocities) Act.

Allegedly, the petitioner and two co-accused with an
intention to kill the informant, opened fire causing injury to the
informant due to non-fulfillment of demand of ransom.

Submission is of false implication and that the
petitioner has not demanded the ransom rather co-accused
Ramesh @ Chhotka Makhan has demanded the ransom, in the

case diary, there is no injury report and it appears that the informant got treated himself in private clinic, charge-sheet has already been submitted that there is no chance of tampering with the prosecution evidence, the petitioner is suffering in custody since 05.07.2015, deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months in custody** from the date of his remand on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate, Danapur, Patna arising out of Danapur P.S. Case No. 289 of 2015, subject to the conditions that one of the bailors must be 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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