

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57841 of 2015

Arising Out of PS.Case No. -126 Year- 2012 Thana -PURAINI District- MADHEPURA

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Rajendra Sah Son of Sri Gonar Sah Resident of Village- Kheraho,P.s
Puraini, District Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Madhuri Lata(App)

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

2 30-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Puraini,
P.S. Case No. 126 of 2012 registered for the offence punishable
under Section 302,/34 of the Indian Penal Code.

Allegedly, co-accused Sunil Sharma and Jay Kishore
Sharma being armed with pistol entered into the house of the
informant and shot her husband causing his death. The informant
further stated that 3-4 persons were standing outside of her house
and they also fled away.

Submission is of false implication and that the
petitioner is not named in the FIR, during investigation the name
of the petitioner has transpired that he was also present at the time

of occurrence but the informant has filed petition in the learned court below stating about the innocence of the petitioner and co-accused Shankar Sah has already been allowed bail and as such the petitioner who is suffering in custody since 28.7.2015 deserves sympathetic consideration.

Learned A.P.P. fairly submits that it has only come that the petitioner was also present at the time of occurrence.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Uda-Kishunganj, Madhepura, in connection with Puraini, P.S. Case No. 126 of 2012, 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)

siddharth/-

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