

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37869 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -EKMA District- SARAN

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Biresh Kumar Giri @ Sikari Giri @ Biresh Giri Son of Triloki Giri R/o
Village- Mane Matiyar, PS. Ekma, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 15-11-2016 Heard Mr. Jha for the petitioner and Mr. Mr. Mishra for
the State.

The petitioner seeks bail in Ekma P.S. Case No. 54 of
2016 registered under sections 307 and 302 IPC including section
27 of the Arms Act.

Owing to previous dispute, it is alleged, 17 accused
persons, including the petitioner, arrived near the house of the
informant. One of the co-accuseds is alleged to have given a knife
in the hands of the petitioner and it is alleged that he inflicted a
knife blow in the abdomen/chest of Chandan Giri. Further
allegation is that a fire was shot by him (petitioner) which hit the
nephew of the informant who later died.

Counsel for the petitioner submits that the deceased
Anup Giri received penetrating/cut injury which resulted in his

death. He read out the post mortem report from the case diary. It is further submitted that there is no injury report with respect to the victim Chandan Giri.

Counsel for the informant has not disputed the said contention of the petitioner.

The petitioner is in custody since 15.03.2016 having no criminal antecedents. It is stated that the charge-sheet has already been submitted.

Considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM Saran at Chapra in Ekma P.S. Case No. 54 of 2016 on condition that one of the bailors shall be his close/own family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case he fails to appear on two consecutive dates thereat, the trial court shall have the liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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