

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28045 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -SAHPUR District- BHOJPUR

Bhirgu Nath Mishra Son of Ram Kishun Mishra resident of village -
Prasaunda Tola, P.S. Shahpur, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 15-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with registered
under Sections 147, 148, 149, 341, 327, 307, 302 of the I.P.C. and
27 of the Arms Act.

The accusation is that in course of returning to the
marriage ceremony of the informant along with his uncle
Bisheshwar Ojha (deceased) and Umesh Ojha boarded on a Bolero
Car, which was being followed by Kamal Deo Ojha by Scorpio,
five persons named in the F.I.R. armed with rifle and gun along
with 3 to 4 unknown came. Haresh Mishra and Brajesh Mishra
started firing on the deceased Bisheshwar Ojha and his driver
Rakesh Ojha, who sustained injury. Bisheshwar Ojha, uncle of the

informant, was declared dead in referral hospital and two other injured, Kamdeo Ojha and Rakesh Kumar were referred for better treatment.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that informant, who is the eye witness of the occurrence, has not disclosed the name of the petitioner. The name of the petitioner has been surfaced after 17 days of the occurrence through spy to the effect that this petitioner was involved in conspiracy of murder talking to named accused on mobile. Further submission is that on investigation, charge sheet has already been submitted against the petitioner and the petitioner, having no criminal antecedent, is in custody since 03.03.2016.

Having considered the facts and circumstances of the case, let the above named petitioner 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 C.J.M., Bhojpur, Arrah in connection with Shahpur P.S. Case No. 48 of 2016.

(Rajendra Kumar Mishra, J)

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