

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47405 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -RAGHOPUR District- SUPAUL

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1. Shriram Yadav Son of Laxmi Yadav Resident of Village Birpur ward
No. 11 P.S.Birpur Dist Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

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

5 12-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Raghopur
P.S. Case No. 02 of 2015 registered for the offences punishable
under Sections 384, 385, 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly two motorcycle borne criminals came at the
shop of the informant and out of them one opened fire but did not
hit the informant and he raised alarm and then both the miscreants
started fleeing away and earlier Santosh Mehta has demanded
ransome of Rs. 25,00,000/- otherwise to kill him.

Submission is of false implication and that the
petitioner is in custody since 25.01.2015 but he has not been put



on T.I.P., he was not identified at the time of occurrence, the occurrence is of 05.01.2015 and after 12 days witnesses Dipak Gupta and Md. Tahir have stated that the petitioner and Santosh Mehta were fleeing away with motorcycle and, as such, on the basis of those weak material, the petitioner's complicity does not come and further the police after adopting third degree method, has got recorded confessional statement of the petitioner and, as such, he deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the petitioner has not been put on T.I.P. and he was not identified at the place of occurrence by the witnesses and, as such, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner, above named, 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 Learned Sub-Divisional Judicial Magistrate, Birpur arising out of Raghapur P.S. Case No. 02 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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