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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21190 of 2016

Arising Out of PS.Case No. -517 Year- 2015 Thana -MARHAURA District- SARAN

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Biran Singh @ Chandesh Kumar Singh, S/o Rajeshwar Singh, resident of Village - Talpuraina (Muriya Tola), P.S. Marhaurah, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.

For the Opposite Party/s : Md. Fahimuddin (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-06-2016 Heard the parties.

This application, for grant of regular bail, arises out of Marhowrah P.S. Case No.517 of 2015, disclosing offences under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel, Mr. Udai Shanker Singh, appearing on behalf of the petitioner, submits that there is general allegation of opening fire against all the accused persons including the present petitioner. He has submitted that there is no allegation against co-accused, namely,

Dinesh Singh, of opening fire, which hit the deceased. He has further submitted that the petitioner has no criminal antecedent, whereas, the deceased was a history sheeter.

Learned counsel for the petitioner has stated that co-accused, namely, Paras Mahto, has been granted regular bail by this Court. He has also submitted that though there is allegation of indiscriminate firing against all the four accused persons, the deceased is said to have received only two injuries.

Considering the submission, as above, this application is allowed. The petitioner, abovenamed, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-II, Saran at Chapra**, in connection with **Marhaurah P.S. Case No.517 of 2015**.

This is subject to the condition that the petitioner, abovenamed, shall present himself before the police/Court, as the case may be, as and when required, and in the event of failure on his part to appear before the Court, on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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