

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55558 of 2015

Arising Out of PS.Case No. -146 Year- 2015 Thana -RIGA District- SITAMARHI

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1. Munna Sah Son of Late Dashrath Sah R/o Village- Sonaul Subba, P.S.-
Mejorganj, District- Sitamarhi.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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

ORAL ORDER

3 15-02-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Riga P.S. Case
No. 146 of 2015 registered for the offences punishable under
Section 307 of the Indian Penal Code and Section 27 of the Arms
Act.

The petitioner is not named in the first information report
but during course of investigation witness Ram Kripal Raut, Dayal
Mahto and Jai Narain Mahto have claimed to have seen the
petitioner and others fleeing away after the occurrence and
thereafter, co-accused Awadhesh Rai was arrested and he
confessing his guilt stated the name of the petitioner also.

Submission is of false implication and that no one has
seen the petitioner causing injury to the informant, only on

suspicion and weak evidence the petitioner is suffering in custody since 31.07.2015 whereas co-accused Awadhesh Kumar Rai @ Awadhesh Rai has been allowed bail vide order dated 10.02.2016 passed in Cr. Misc. No. 4571 of 2016 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration to which learned APP does not dispute.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 146 of 2015, subject to the conditions that one of the bailors must be a 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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