

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34303 of 2016

Arising Out of PS.Case No. -211 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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Dharmendra Kumar @ Raj, son of Anuth Mahto Resident of village-
Bhutahi, P.S. Sonebarsa, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 307/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 7.4.2016 at about 8.30 A.M. the informant was sitting at the counter of his shop and also talking with his tractor driver, in the meantime an unknown person came at the counter and opened fire from his pistol with an intention to kill him, which hit on his left shoulder, stomach, chest and palm of left hand, as a result of which he fell down. The informant further alleged that after understanding him dead the said person with his associate, who was standing the motorcycle outside, fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.4.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. In course of investigation suspicion has been raised against the petitioner. The main allegation is against the co-accused Budhan Thakur.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. case No.211 of 2016.

(Sudhir Singh, J)

Narendra/-

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