

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50165 of 2015

Arising Out of PS.Case No. -215 Year- 2014 Thana -MARHAURA District- SARAN

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Chandan Kumar Son of Laxman Sah resident of village - Mubarkpur, Police
Station - Marhowarah, District - Saran at Chapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

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

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

3 03-02-2016 Heard the learned counsel for the petitioner as well
as the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 447, 342, 323, 324, 307,
302, 504 and 114 of the I.P.C.

Allegedly, in the occurrence, the petitioner pulled out
the informant and brought him near Pakri tree and gave order to
kill then co-accused Harisaran Sharma and Jaggu Sah assaulted
the informant with knife and further the petitioner and others
assaulted the informant with lathi and when Umashankar Sah,
Pradumana Kumar, Bijay Kumar and Sarvelalal Sah came for
rescue then co-accused Harsaran Sharma gave knife blow in the
abdomen of Sarvelalal Sah causing serious injury and during

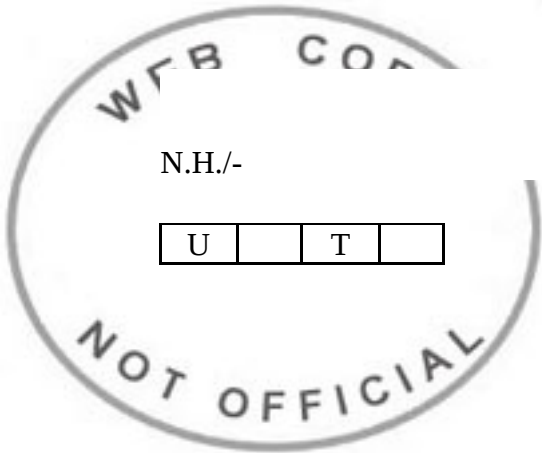
treatment, Sarvelalal Sah died.

Submission is of false implication, the petitioner has not assaulted the deceased, he has been implicated as an order giver, other co-accused have been allowed bail and Harisaran Sharma has also been allowed bail vide Cr. Misc. No.711 of 2016 by order dated 13.1.2016 and the petitioner is suffering in custody since 24.8.2015 and as such he deserves sympathetic consideration.

The learned A.P.P. fairly submits that Harisan Sharma, who gave fatal blow to the deceased, has already been allowed bail.

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 Chief Judicial Magistrate, Saran at Chapra in connection with Marhowarah P.S. case No.215 of 2014, 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)