

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17983 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -ITADHI District- BUXAR

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1. Chaturi Bhar @ Ramashish Bhar, Son of Shankar Bhar, resident of Village- Kukudha, P.S.- Itarhi, Dist.- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Asha Devi (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 24-05-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Itarhi P.S Case No. 101 of 2016 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The petitioner is not named in the First Informant Report and on the basis of confessional statement of co-accused Santosh Paswan and further on the basis of confessional statement of the petitioner made in another case he has been remanded in this case, though in the First Information Report there is specific allegation against the F.I.R. named accused persons. The petitioner without any fault is suffering in custody since



27.11.2016, he has been falsely implicated in this case, other co-accused Ravi Ranjan Rajak, Shamsheer Miya and Gyan Prakash Chaudhary have already been allowed bail either regular or anticipatory and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that besides confession there is no other legal material against the petitioner and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.- II, Buxar, in connection with Itarhi P.S. Case No. 101 of 2016, 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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