

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13322 of 2017

Arising Out of PS.Case No. -396 Year- 2013 Thana -RUNISAIDPUR District- SITAMARHI

=====

1. Sanjay Patel Son of Lal Bahadur Patel Resident of Village-Bishanpur
Malang Chowk, P.S. Runnisaidpur, District Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 307, 302/34 of the Indian
Penal Code, Section 27 of the Arms Act and Section 17 of the
Criminal Law Amendment Act.

Six FIR named accused persons fired causing
injury to Fanku Rai who died subsequently.

Learned counsel for the petitioner submits that
having similar allegation co-accused Dinesh Mandal and others
have been allowed bail by two different Coordinate Benches of
this Court. Dinesh Mandal was allowed bail in Cr. Misc. No.
48621 of 2014.

Learned counsel for the State opposed the prayer



for bail on the ground that in paragraph 29 of the case diary injured Fanku Rai has stated that it was this petitioner who had fired on him which resulted in his death.

There is no explanation for such belated statement of the injured, hence, the statement of the injured is itself doubtful.

Considering the aforesaid facts, let 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 Sessions Judge, Sitamarhi/successor Court in connection with S.Tr. No. 164 of 2016 arising out of Runnisaipur Police Station Case No. 396 of 2013, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

