

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6350 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -BANIAPUR District- SARAN

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Shabhu Rai @ Shambhu Yadav S/o Ragdeo Rai, Resident of Rajouli, P.S-
Baniyapur, District- Saran, Permanent Address, Resident of Village- Piya
Kuri, P.S. & District- Kishanganj. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Baniyapur P.S.
Case No. 282 of 2016 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Bittu Rai came on
motorcycle and Bittu Rai called Dhara Bhaiya-Dhara Bhaiya and
shot the husband of the informant, thereafter, both fled away by
motorcycle.

Submission is of false implication and that the petitioner is
not the assailant, there is specific allegation against Bittu Rai and
as such the petitioner who is suffering in custody since
10.10.2016, deserves sympathetic consideration. Chargesheet
has already been submitted and there is no chance of tampering



with the prosecution evidence

Learned APP opposes the prayer of 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 learned Chief Judicial Magistrate, Saran in connection with Baniyapur P.S. Case No. 282 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.

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(Jitendra Mohan Sharma, J)

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