

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18677 of 2017

Arising Out of PS.Case No. -33 Year- 2016 Thana -BARIYARPUR District- MUNGER

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Gholta @ Gholat Singh, son of Late Kailash Singh, Resident of Village-
Ekashi Gandhipur, Police Station- Bariyarpur, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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

ORAL ORDER

3 22-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Bariyarpur
P.S. Case No. 33 of 2016 registered for the offences punishable
under Sections 302, 307, 354(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly, Sadanand Mandal shot the husband of the
informant and the petitioner shot the informant and both became
injured. During treatment the husband of the informant died.

Submission is of false implication due to land dispute.
During investigation another story has come. Independent
witnesses have stated otherwise showing the involvement of other
co-accused in the crime and during supervision also the hands of
the petitioner and others, as per FIR, has not been found true.



Rakesh Kumar has confessed his guilt stating the names of other co-accused and as such the petitioner who is suffering in custody since 21.10.2016 deserves sympathetic consideration. However, as per the FIR also, the petitioner is not the assailant.

Learned APP fairly submits that during investigation involvement of other accused persons have transpired.

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 the learned Chief Judicial Magistrate, Munger in connection with Bariarpur P.S. Case No. 33 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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