

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45480 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -JAMUI District- JAMUI

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1. Tripurari Singh son of Lakhi Singh, resident of Village- Mahisouri, P.S.+ District- Jamui.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.45856 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -JAMUI District- JAMUI

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1. Tinku Sah, Son of Chandu Sah, Resident of Village- Mahisouri, P.S.+District- Jamui.

.... Petitioners/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45480 of 2017)

For the Petitioners/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

(In Cr.Misc. No.45856 of 2017)

For the Petitioners/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-10-2017 As both the above mentioned cases arise out of same p.s. case no., they are clubbed together and are being disposed of by this single order, for the sake of convenience.

The petitioners in both the above mentioned cases seek regular bail in connection with Jamui P.S. Case No. 122 of 2017, registered for offences punishable under Sections 324, 326, 286



and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners in both the cases is of firing during marriage ceremony, causing injury to one person and later on that person succumbed to his injury.

It has been submitted on behalf of the petitioners that there was dispute among the petitioners in both the cases as to who would fire first, in which a firing took place and the bullet accidentally hit one person and it was not an intentional act of any of the petitioners. It has further been submitted that it is not specific as to who fired on the deceased causing his death and petitioners are in custody since 09.06.2017 and 11.07.2017 respectively.

Learned counsel for the State could not controvert the above submission.

Having heard both sides, in view of the above facts, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 122 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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