

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. Lalit Sharma, Son of Late Bisheshwar Thakur, resident of village -
Bibipakar, P.S. Laheriasarai, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Sr. Advocate
Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 02-03-2017 Heard both sides.

The petitioner seeks bail in L.N.M.U. (University) P.S.
Case No. 187/2016, registered for the offences punishable under
Sections 394, 307 and 302 of the Indian Penal Code and Section
27 of the Arms Act.

The informant alleged that while he and his brother
were returning to their house on motorcycle, four persons
intercepted them and snatched his bag. On such, his brother Vinod
Swaika raised alarm and chased the criminals. The criminals fired
which hit the head of Vinod Swaika, brother of the informant.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. Nothing has been recovered
from possession of the petitioner. Md. Basihat, co-accused firstly



confessed his guilt and disclosed the name of other accused persons, namely, Md. Irshad, Ramesh Sahni and others including the petitioner. Md. Basihat disclosed that he took arms from the petitioner and after occurrence he handed over the arms to the petitioner. On such confessional statement the petitioner was arrested but no arms and ammunitions was recovered from possession of the petitioner. The mobile of the petitioner was recovered. It is further submitted that Md. Irshad and Hari Sahni, co-accused have already been enlarged on bail vide order passed in Cr. Misc. No. 2872/2017 and Cr. Misc. No. 1241/2017. The case of the petitioner stands on better footing. Even on consideration of the confessional statement of Md. Basihat, it appears that the petitioner did not participate in the loot and murder of Vinod Swaika.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing 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, Darbhanga in connection with L.N.M.U. (University) P.S. Case No. 187/2016.

(Prabhat Kumar Jha, J.)

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