

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.351 of 2017

Arising Out of PS.Case No. -1 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

=====

1. Awadhesh Singh @ Chhotu Singh, son of Bhola Singh, resident of village- Mahapur, P.S.- Kauwakol, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate

For the Opposite Party/s : Smt. Sharda Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 28-01-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in Neemchak Bathani P.S. Case No.01 of 2016 instituted for the offence under Section(s) 302/34 Indian Penal Code and Section 27 of the Arms Act.

It is alleged that the petitioner is not named in the First Information Report. His name has come in para 106, 107, and 115 of the Case Diary on the basis of the statement of some of the witnesses.

The learned APP has opposed the prayer for bail.

From the written report, it appears that the Informant has specifically named six accused persons, who came on motorcycle, and specific allegation of firing upon the father of the



Informant, Md. Khalil, is against two accused, namely, Md. Shakil and Md. Wakil, which hit on the head of the deceased and he died on the spot. The petitioner is neither named in the First Information Report nor any overt act has been alleged against him. He is said to be in custody since 09.07.2016 having no criminal antecedents.

In view of such,, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-X, Gaya, in connection with Neemchak Bathani P.S. Case No.1 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

JA/-

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

