

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34470 of 2016

Arising Out of PS.Case No. -12 Year- 2012 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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Md. Shaukat @ Shaukat, son of Atiullah, resident of Village- Bara Parewa,
Ward No. 17, P.S.- Raxaul, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. A.M.Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Raxaul Rail P.S. Case No. 12 of 2012, registered under
Sections 302 and 120(B) of the Indian Penal Code.

The allegation of informant, Sane Ilahi, is that, on
12.11.2012, in the night, he along with his servant Shankar Ram
moved from his house for boarding in Sadbhawana Express
Train at Motihari Railway Station. When he and his servant
Shankar Ram reached near the house of Phulmati Devi then
Shankar Ram started to cry then he saw that Md. Abbas Mian,
Ashab, Javed Mian and one unknown armed with pistol were



present. At that time, Abbas Mian shot fire at the head of Shankar Ram, on which, he fall down. Thereafter, all accused started to flee away from the place occurrence while they were identified by the informant in the light of electric bulb.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. But in course of investigation, Shane Elahi @ Bachcha Babu, Lal Babu and Shambhu Sah and this petitioner have been made accused only on the ground that they talked to other accused on mobiles and their mobiles location were also found near the place of occurrence. It is further submitted that co-accused, Lal Babu and Shane Elahi @ Bachcha Babu have already been granted privilege of bail by this Court vide orders dated 16.03.2016 and 04.05.2016 passed in Criminal Misc. Nos. 57296 of 2015 and 55681 of 2015.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Rail Judicial Magistrate, Rail Court, Bettiah, West Champaran, in connection with



Raxaul Rail P.S. Case No. 12 of 2012, subject to the condition
as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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