

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14871 of 2017

Arising Out of PS.Case No. -16 Year- 2008 Thana -BARAHIYA District- LAKHISARAI

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1. Tekan Singh @ Fekan Singh, Son of Late Bishundev Singh, resident of Village Khutahadih, Police Station Barahia, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-1(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-05-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Barahiya P.S Case No. 16 of 2008 registered for the offences punishable under Section 386, 323, 379, 307, 302/34 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, Murari Singh fired from his pistol because of non-payment of ransom amount upon the informant, the informant was assaulted by other co-accused persons, informant became injured and was carried to hospital where his fardbeyan was recorded. The petitioner is not named in the F.I.R. and during investigation his name has been transpired.

Submission is of false implication and in this case



F.I.R. named accused persons have already been allowed bail by different benches of this Court and the petitioner is suffering in custody since 28.02.2008, nothing has been recovered from his possession and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that this is a case of the year 2008.

In the facts and circumstances stated above, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge 1st, Lakhisarai in S/C No. 35 of 2017, arising out of Barahiya P.S. Case No. 16 of 2008, 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.)

Rajiv/-

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