

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52794 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Baijnath Singh, Son of Late Jagdeep Singh, Resident of Village -
Shahmahmad Dumari, P.S.- Paroo, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate
For the Informant : Mr. Ranjan Kumar, Advocate
For the State : Mr. Chandrasen Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 13-01-2017 Heard learned counsel for the petitioner and the

informant as well as State.

The petitioner seeks bail in a case instituted for the
offence under Sections 341, 307, 302/34 of Indian Penal Code and
under Section 27 of Arms Act.

It is alleged in the written report that Daroga Mahto,
Shambhu Mahto and Sonu Mahto fired shot upon the father and
brother of the informant namely, Mangal Sah and Mukesh Sah
respectively. The father of the informant Mangal Sah died in
course of treatment and the treatment of brother of the informant is
going on.

It has been submitted on behalf of the petitioner that
he is not named in the written report. The injured Mukesh Sah has
not taken the name of the petitioner in his statement which is
available in case diary of para-2. It has been further submitted that



one of the co-accused Raj Nath Rai has been granted bail by Co-ordinate Bench of this court vide Cr. Misc. No. 37565 of 2016 dated 10.11.2016. The aforesaid order has been enclosed in bail petition as Annexure-2. Learned Sessions Judge has mentioned about various paragraphs of the case diary in the impugned order. From impugned order it appears that except supervision note of S.P., there is nothing against the accused persons. In such circumstances the case of this petitioner is on similar footing to that of the case of Raj Nath Rai. Therefore, the petitioner above named, be released 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 Judicial Magistrate-1st Class, Muzaffarpur, in connection with Saraiya P.S. Case No. 84 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

It has been submitted that case is fixed for framing of charge in this month. The petitioner is directed to remain physically present on that day for framing of charge and in the event of non-appearance on such day, the court below will cancel the bail bond of this petitioner.

(Sanjay Priya, J.)

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