

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5238 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -SABAUR District- BHAGALPUR

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Binay Das @ Binay Harijan, Son of Lochan Harijan, Resident of Village-
Pannuchak, P.S.- Ghogna (Kahalgaon), District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sabour P.S.
Case No. 189 of 2016 registered for the offences punishable under
Sections 147, 149, 341, 323, 307, 504/506 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused surrounded
the informant and asked him as to why came here to graze his
buffalo and thereafter, Tibba Mandal opened fire which hit in his
stomach and left hand.

Submission is of false implication and that no overt act
has been attributed against the petitioner and he is in custody since
26.11.2016. Chargesheet has already been submitted and there is
no chance of tampering with the prosecution evidence. The



petitioner has been made victim of local dirty politics.

Learned APP fairly submits that against the petitioner there is no allegation for committing any over tact.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. X, Bhagalpur in connection with Sabour P.S. Case No. 189 of 2016, 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)

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