

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53442 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -BAKHRI District- BEGUSARAI

=====

Chandan Kumar Dev Son of Sachin Kumar Dev Resident of Village-
Parihara, P.S Bakhri (Parihara), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Sri S.M. Rahman

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Sessions Trial No. 426 of 2017, arising out of Bakhri P.S. Case No. 106 of 2017 dated 03.05.2017 instituted for the offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The son of the deceased, who is informant of this case, lodged the FIR alleging that while his father was coming back from the market, he was killed by unknown persons. The FIR further reveals that the deceased did not have enmity with anyone and that nobody had seen anybody killing the deceased. The aforesaid FIR was also witnessed and signed by one Gauri Shankar Yadav, brother of the informant and one of the sons of the deceased. Later, on suspicion expressed by Gauri Shankar Yadav, son of the deceased, the petitioner was arrested. Later, Gauri



Shankar Yadav and his sister made statements attributing the act of killing on the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case or else, his name would have found mention in the FIR when the aforesaid Gauri Shankar Yadav had signed it. Though the petitioner has been made accused in several cases in the past but according to the submission of the learned counsel for the petitioner, all such cases have been lodged at the instance of his agnates with whom, the petitioner has land dispute. The petitioner is but on bail in all those cases.

The petitioner is in custody since 04.05.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Begusarai in connection with Sessions Trial No. 426 of 2017, arising out of Bakhri P.S. Case No. 106 of 2017.

(Ashutosh Kumar, J)

Shageer/-

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

