

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18713 of 2017

Arising Out of PS.Case No. -284 Year- 2016 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Dharamveer Kumar, Son of Sri Dhaneshwar Yadav, resident of Village-
Malbigha, P.S.- Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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

2 12-05-2017 Supplementary affidavit has been filed on behalf of the
petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
A.P.P. representing the State and learned counsel for the
informant.

The petitioner seeks bail in connection with Noorsarai
P.S. Case No. 284 of 2016 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The petitioner is named in the F.I.R. and allegation is
of firing upon Ashok on his head and waist, resulting he died but
after completing investigation final form was submitted against



the petitioner and others whereas chargesheet has been submitted against several other co-accused persons.

Submission is of false implication and that the petitioner has been made accused un-necessarily. The police after completing investigation, found the allegations against the petitioner false and submitted final form, showing him innocence and, as such, the petitioner who is suffering in custody since 22.12.2016 deserves sympathetic consideration.

Learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that prayer of bail of Kamlesh Yadav son of Kapil Yadav has been rejected by another co-ordinate Bench of this Court vide order dated 03.05.2017 passed in Criminal Miscellaneous no. 17753 of 2017.

In the facts and circumstances stated above, considering that against the petitioner final form was submitted, finding him innocence and, as such, the above named petitioner 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 S.D.J.M., Biharsharif, Distt. Nalanda in connection with Noorsarai P.S. Case No. 284 of 2016 subject to the conditions that one of the bailors must be 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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