

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65420 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- SAHODARA District- West Champaran

SHEIKH JANISHAR Son of Late Sheikh Yashin Resident of Village-
Parsauni, Police Station Sahodra, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.
For the Opposite Party/s : Mr. S.M. Rahman, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2018 The petitioner seeks regular bail in connection with Sahodra P.S. Case No. 02/2018, registered for offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

Allegation against petitioner and other accused persons is that they entered inside the Masjid and one of the co-accused fired on the father of informant causing his death.

Submission of learned counsel for the petitioner is that there is no allegation of firing or any overt act against the petitioner. He is in custody since 24.07.2018. Other co-accused persons have been granted bail by different benches of this court vide order dated 09.07.2018 passed in Cr. Misc. 26716/2018 and order dated 31.10.2018 passed in Cr. Misc. 58242/2018.

Heard learned A.P.P. and learned counsel for the informant also. They have opposed the prayer for bail on the



ground that it is who committed murder inside the Masjid, as the petitioner is named in the F.I.R. armed with pistol and he is carrying criminal antecedent.

On perusal of the records, it appears that in para 3 it is mentioned that petitioner is in accused in three more cases, out of which two cases are registered under Section 420 and rest under sections of the Indian Penal Code and in one case he has been acquitted by judgement/order dated 30.06.1987.

This application is disposed of with direction to the trial court to verify the antecedent of the petitioner and apart from the cases mentioned in para 3 of the bail petition, if there is no other case pending against him, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Sahodra P.S. Case No. 02/2018, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

vinita/-

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

