

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27718 of 2018

Arising Out of PS. Case No.-153 Year-2016 Thana- KASIMBAZAR District- Munger

Chhotu Ram @ Neeraj @ Chhotu Yadav son of Sahdeo Ram @ Sahdeo Prasad Ram resident of village Lal Darwaja, Police Station Kotwali (Munger), District Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Sessions Trial No. 244 of 2017 arising out of Kasim Bazar P.S. Case No. 153 of 2016 registered for the offences punishable under Sections 302, 34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other 14 named accused persons after chasing the son of the informant entered into Vijay Takies and on first floor after opening indiscriminate firing caused the death of the son of the informant.

Submission is of false implication and that there is general and omnibus allegation. The petitioner has voluntarily surrendered on 22.11.2016 and since then he is in custody.



Similarly situated co-accused Shambhu Yadav, Kamal Yadav, Hemant Singh, Pawan Mandal, Dharma Yadav and Manjeet Sah have been allowed bail by different co-ordinate benches of this Court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that the aforesaid accused persons have been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Tribhuwan Nath, Additional District and Sessions Judge -Vth Munger, in connection with S.Tr. No. 244 of 2017, arising out of Kasim Bazar P.S. Case No. 153 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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