

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50512 of 2018

Arising Out of PS.Case No. -21 Year- 2018 Thana -UDWANTNAGAR District- BHOJPUR

=====

Kishore Giri, S/o late Mukhdeo Giri, R/o Vill.- Jaitpur Mathia, P.S.-
Udwantnagar, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party : Mr. Nand Kishore Pd, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-09-2018

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is languishing in custody since 11.05.2018 in a case for the offence registered under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 30.01.2018 at 1.00 P.M. the informant Geeta Devi and her family members was sitting at her door and her father-in-law was also sitting on Canal Bridge situated near their house and at time, co-accused Babagiri and Kishore Giri (petitioner) came and started to abuse her father-in-law and they asked his brother Laxuman Giri and Gudiya Devi to bring gun from the house on which Laxuman Giri, Gudiya Devi and Sunaina Kunwar brought the gun and given to Bibagiri and Kishore Giri. On the order of Sunaina Kunwar,



Laxuman Giri, Kishore Giri and Babagiri started firing upon him. Co-accused Baba Giri came near her father-in-law and fired on him who sustained injuries and died.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per prosecution case, the main allegation is made against co-accused Babagiri who is alleged to have fired upon the deceased due to which he succumbed to injuries. There is no allegation against the petitioner for causing injury upon the deceased. No specific overt act has been alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhojpur at Ara, in connection with Udwantnagar P.S. Case No. 21/18.

U.K./-

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

(Sudhir Singh, J)

