

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69384 of 2019

Arising Out of PS. Case No.-355 Year-2019 Thana- RAJIVNAGAR District- Patna

Shree Dayal @ Shree Dayal Kumar Son of Mala Rai Residence of Chandra Bihar Colony, Nepali Nagar, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner is languishing in custody since 03.08.2019 in a case registered for the offences punishable under Sections 147, 148, 149, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

It is specifically alleged that the nephew of the informant, Vishal Rai was fired upon by co-accused Suraj Sarkar, who ultimately succumbed to the injury. It is alleged that the petitioner was the accomplice of said co-accused Suraj Sarkar.

It is submitted by learned counsel for the petitioner that the accusation of assault has not been levelled against the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned counsel for the informant and the State submit that the petitioner was accomplice of the main assailant Suraj Sarkar.

Considering the fact that the accusation of firing has not been levelled against the petitioner and investigation being concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Patna in connection with Rajiv Nagar P.S. Case No. 355 of 2019.

(Dinesh Kumar Singh, J)

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