

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70478 of 2019

Arising Out of PS. Case No.-169 Year-2016 Thana- RAXAUL District- East Champaran

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UMESH SAH Son of Jay Narayan Sah Resident of Village- Gandhi Nagar
Raxaul, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Raxaul P.S. Case No. 169 of 2016, disclosing offence punishable under Section 302 and other allied Sections of the Indian Penal Code, Section 27 of the Arms Act and Sections ¾ of the Explosive Substance Act.

Learned counsel for the petitioner has submitted that there is allegation against four named co-accused persons of having made indiscriminate firing leading to the death of the deceased. She contends that the postmortem report shows only one injury which casts serious doubt on the case of the prosecution. He has referred to an order of this Court dated 18.05.2017, passed in Cr. Misc. No. 14573 of 2017, whereby



co-accused Sarfaraj Alam, situated in similar circumstance, has been allowed regular bail.

Considering the fact that the case of the petitioner is on similar footing with that of Sarfaraj Alam, this application is allowed. 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 learned Sub-Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran in Raxaul P.S. Case No. 169 of 2016.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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