

Bharat Singh Vs. the State of Bihar

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Court : Patna

Decided On : May-19-2012

Appellant : Bharat Singh

Respondent : The State of Bihar

Judgement :

Patna High Court Cr.Misc. No.37662 of 2011 (3) dt.19-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.37662 of 2011
===== Bharat Singh, son of Hawaldar Singh. Petitioner/s Versus The State of Bihar Opposite Party/

19. 01-2012 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the informant. Petitioner is in jail custody since 17.08.2011 in a case registered under Section 302 of the Indian penal Code and under Section 27 of the Arms Act. Admittedly, petitioner is not named in the written report of the informant which was given to officer in-charge Durgawati Police Station on 18.05.2011, in respect of an occurrence which had taken place in between the night of 17/18.05.2011. The informant did not disclose the name of the assailant of the deceased in his further statement also and when the statement of informant was recorded on 19.05.2011 in presence of Dy.S.P., he, for the first time, disclosed the name of the petitioner as well as the manner in which the alleged occurrence took place. The aforesaid statement of the informant was supported by some of the so called eye witnesses,

but again, some witnesses stated that the firing took place, accidentally, as a result of which deceased sustained injuries Patna High Court Cr.Misc. No.37662 of 2011 (3) dt.19-01-2012 and died. Considering the aforesaid facts and circumstances as well as materials available on the case diary, I direct the petitioner to 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 62 of 2011. (Hemant Kumar Srivastava, J) Devendra/-

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