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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5181 of 2015

Arising Out of PS.Case No. -320 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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1. Maheshwar Yadav S/O Late Puran Yadav Resident of vill-Ganga Prasad,P.S-Bakhtiyarpur,Distt.-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sada Nand Ray
For the Opposite Party/s : Mr. Ambika Bhagat(Spl. P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 06-02-2015 Heard both sides.

The petitioner seeks bail in Baktiyarpur P.S. Case No. 320 of 2014 registered under section 307 and other allied sections of the Indian Penal Code and 27 of the Arms Act and 3(i), 2(iv) V of the SC/St Act. .

The informant named the petitioner along with eight other persons and alleged that the accused persons assaulted the son of the informant. Badri Yadav and Ramdeo Yadav are alleged to have fired in which the son of the informant was injured. The accused persons are also alleged to have fired in the house of the informant.

Learned counsel for the petitioner submits that there is omnibus and general allegation of assault against the

petitioner. It is submitted that the I.O. did not found any burnt material at the place of occurrence.

The learned A.P.P. on the other had opposed the prayer for bail. On perusal of the record it appears that there is omnibus and general allegation against the petitioner that petitioner and others assaulted the son of the informant. The allegation of firing is against Badri Yadav and Ramdeo Yadav and no sign of burn material is found at the place of occurrence.

Considering the aforesaid facts, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial magistrate, Saharsa in Baktiyarpur P.S. Case No. 320 of 2014.

(Prabhat Kumar Jha, J)

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