

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4369 of 2015

Arising Out of PS.Case No. -117 Year- 2007 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Ashok Yadav S/o Late Chhottu Yadav @ Chhotan Yadav Resident of Mohalla Ishakchak, P.S. Ishakchak, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-03-2015 Heard both sides.

The petitioner seeks bail in connection with Sessions Trial No. 111 of 2014, arising out of Mojahidpur (Ishakchak) P.S. Case No. 117 of 2007, registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the FIR. The informant named four persons. During the course of investigation two witnesses disclosed that Md. Jamal @ Mallu @ Bhallu and the petitioner fired on Md. Ashif @ Munna.

Learned counsel for the petitioner submits that had the witnesses seen the occurrence, the name of the petitioner would have been mentioned in the FIR. On similar facts Md. Jamal @

Mallu @ Bhallu has already been enlarged on bail vide order dated 14.11.2008 passed in Cr. Misc. No. 38306 of 2008.

Considering the facts aforesaid and the fact that the case of the petitioner stands on the same footing as that of Md. Jamal @ Mallu @ Bhallu, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ad-hoc Additional Sessions Judge I, Bhagalpur in connection with Sessions Trial No. 111 of 2014, arising out of Mojahidpur (Ishakchak) P.S. Case No. 117 of 2007.

(Prabhat Kumar Jha, J.)

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