

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42217 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -BASNAHI District- SAHARSA

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1. Bhishan Yadav Son of Late Maheshwari Yadav Resident of village -
Atalakha, P.S. Basnahi, District - Saharsa (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 341, 323, 325, 302, 504, 506/34 of the Indian Penal Code
and 27 of Arms Act.

The petitioner carries criminal antecedent of altogether
12 cases but in the present case no specific overt act has been
attributed against him and according to the prosecution itself, it
was co-accused, Anoj Yadav, who opened fire on the deceased
and thereafter co-accused Khokha Yadav assaulted the informant.
It appears from Annexure 2 series that several co-accused having
more or less similar allegation have been granted bail by different
benches of this Court.

Considering the facts and circumstances of the case, let 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 Sri N.K.P. Gupta, learned Additional Sessions Judge-11nd Saharsa in Sessions Trial No.2375 of 2014/ 2429 of 2014 arising out of Basnahi P.S.Case No. 08 of 2014, subject to the condition that in course of trial, any complaint regarding tampering with the prosecution evidence is made against the petitioner, the concerned court shall be at liberty to cancel the bail of the petitioner, after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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