

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44056 of 2014

Arising Out of PS.Case No. -98 Year- 2008 Thana -KAKO District- JEHANABAD

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1. Kameshwar Yadav son of Sarifan Yadav, resident of Village- Sikariya,
P.S. Kako (Pali), District Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 09-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

It is a case of double murder and petitioner is named

in the first information report and the allegation against him that

when deceased, Lala Yadav fell on the ground having sustained

firearm injuries caused by F.I.R. named accused, Gajendra Yadav,

Ramdeo Yadav, Sharifan Yadav and Sanjay Yadav, this petitioner

along with co-accused, Tunni Yadav cut his neck.

Learned counsel for the petitioner submits that post

mortem report of the deceased, Lala Yadav reveals that altogether

nine injuries were found on the person of the deceased, Lala

Yadav and out of the aforesaid nine injuries, eight injuries were

said to be caused by firearms and only one incised wound was

found on the neck of the deceased, Lala Yadav. It is further contended by him that co-accused, Ramdeo Yadav, Gajendra Yadav and Sharifan Yadav against whom there is allegation of causing firearm injury to the deceased, Lala Yadav, have already been granted privilege of bail by a co-ordinate Bench of this Court and moreover, there is allegation of cutting neck against two persons but only one incised wound was found on the neck of the deceased, Lala Yadav. Moreover, petitioner is agnate of the informant and he has been implicated in this case due to previous enmity.

So far as second deceased is concerned, there is no allegation of assault to the said deceased against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner 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 Additional Sessions Judge-III, Jehanabad in connection with Sessions Trial No. 342 of 2009/65 of 2014 arising out of Kako P.S. Case No. 98 of 2008.

(Hemant Kumar Srivastava, J)

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