

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16571 of 2015

Arising Out of PS.Case No. -287 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

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1. Ashok Yadav Son of Late Anandi Yadav, Resident of Village - Kathara,
P.S. Sultangun, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Subash Chandra Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Sultanganj P.S. Case No. 287 of 2014 for the offences instituted
under sections 447, 341, 323, 307, 506/34, 302 of the Indian
Penal Code and section 27 of the Arms Act.

The prosecution story, in brief, is that on the
alleged date and time of occurrence the informant along with his
cousin went to get the field ploughed. In the meantime, the
accused persons prohibited to plough them and on protest by the
informant, the petitioner and his associates assaulted him with
lathi, danda as a result of which the informant sustained injuries.
It is further alleged that co-accused Kedar Yadav and Gaurav
Yadav fired with country made pistol but fortunately he escaped.
The informant's nephew Abhimanyu Yadav came to rescue him

on which petitioner Ashok Yadav ordered to shoot him. Upon this co-accused Kedar Yadav opened fire which hit on the head of Abhimanyu Yadav who was seriously injured. The injured was brought to the hospital where during the course of treatment he succumbed to his injuries.

It has been submitted on behalf of the petitioner that the allegation of assault is against Kedar Yadav. So far as the petitioner is concerned, he is simply an order giver. It has been submitted that no injury has been caused by the petitioner upon the deceased. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 10.12.2014.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the Chief Judicial Magistrate, Bhagalpur in connection with Sultanganj P. S. Case No. 287 of 2014.

(Sudhir Singh, J)

Amin/-

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