

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42601 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -DANDARI District- BEGUSARAI

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Narayan Yadav @ Narayan Kumar Yadav @ Bechan S/o Sogarath Yadav
@ Ram Sogarath Yadav Resident of Village Bishanpur, Police Station
Dandari, District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhilesh Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kr.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The petitioner is not named in the FIR. The informant widow of the deceased named six persons and alleged that they all assaulted her husband Chandra Bhushan Singh @ Jato Singh and brother-in-law Subhash Singh. When the informant tried to save the accused persons also assaulted her.

It is submitted that the petitioner is not named in the FIR. During the course of investigation the witnesses who were not named in the FIR as witnesses disclosed the name of the petitioner. Subhash Singh the injured also named the petitioner, but no specific allegation is made. Similarly situated co-accused Sanjeev Kumar has already been

enlarged on bail vide order passed in Cr. Misc. No. 31594 of 2015.

On the other hand learned counsel for the informant as well as the learned APP opposed the prayer for bail and submitted that besides the witnesses the injured Subhash Singh named this petitioner as one of the assailants, but on perusal of the record it appears that the informant herself claimed to be the eye witness of the occurrence and she also sustained injury on account of assault made by six accused persons.

It appears that the petitioner is not named in the FIR. The informant did not disclose that anybody else besides the six named accused persons was present at the place of occurrence.

Considering the facts aforesaid and the fact that the similarly situated co-accused has already been enlarged on bail, 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 Sri Suman Kumar Singh, the learned VIth Additional Sessions Judge, Begusarai in Sessions Trial No. 390 of 2015, arising out of Dandari P.S. Case No. 18 of 2015.

(Prabhat Kumar Jha, J.)

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