

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42951 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

Kundan Yadav Son of Late Suraj Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt. Sucheta Yadav(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341/307/120B/34 of the Indian Penal Code and 27 of the Arms Act subsequently section 302 IPC was also added.

The prosecution case is that the informant went to Karela Bagicha for participating in a feast on a motorcycle in company of co-accused Shailendra Yadav and the petitioner Kundan Yadav, where co-accused Shambhu Yadav and Mukesh Yadav @ Mukku Yadav were present from before. After the feast, the co-accused Umesh yadav and Shambhu Yadav fired at the informant causing injury at the abdomen and back. It is alleged that the friends of the informant brought the informant to the hospital but subsequently the informant succumbed to his injuries.

It is submitted by learned counsel for the petitioner that specific accusation of firing is against co-accused Umesh Yadav and Shambhu Yadav and no overt act has been alleged against the petitioner. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Bhagalpur in connection with Nath Nagar(Madhusudanpur) P.S. Case No.94 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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