

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18751 of 2015

Arising Out of PS.Case No. -72 Year- 2012 Thana -KHARAGPUR District- MUNGER

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Prakash Yadav, Son of Late Mahabir Yadav. Resident of village - Kunauli,
P.S.- Haveli Kharagpur, District - Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Indu Bala Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 25-06-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
29.04.2014 in a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged by the informant that the
petitioner, co-accused Raju Yadav, Anrudh Yadav and Shambhu
Yadav came to the house of the informant and made
indiscriminate firing on the father of the informant as a result
father of the informant received 2-3 gun shot injuries leading to
his death on the spot.

It is submitted by learned counsel for the
petitioner that post-mortem reflects only one gun shot injury

which suggests that the informant is either not eye witness to the occurrence or has ventilated an improved version through his fard-beyan. Considering the accusation not being corroborated by medical opinion, Raju Yadav and Anirudh Yadav have been granted bail vide Cr. Misc. Nos. 42805 of 2012 and 13340 of 2014.

Considering the aforesaid facts, let the above named 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 learned Additional Sessions Judge 2nd, Munger in connection with Sessions Trial No. 884 of 2014 arising out of Haveli Kharagpur P.S. Case No. 72 of 2012.

Since the petitioner has serious criminal antecedent of the petitioner, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two eventualities.

(Dinesh Kumar Singh, J)

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