

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42855 of 2015

Arising out of PS.Case No. -23 Year- 2015 Thana -AGIAUN BAZAR District- BHOJPUR

Bharat Yadav @ Bharat Rai, Son of Shiv Mandir Rait, resident of Village - Jamira, P.S. - Ara Muffasil, District - Bhojpur (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Manish Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 04.07.2015 in connection with Agiaon Bazar P.S. Case No. 23 of 2015 for the offences instituted under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that in the night on 27.02.2015 at about 2.30 A.M., the informant Yugeshwar Yadav alongwith his brother Dinesh Kumar @ Bhuar Yadav (deceased) and others was returning his house through Scorpio No. BR-03)-2222 after attending the marriage party of Baswariya Tola and when they reached near Faruara Ahari they found that one Tractor of Coap Lucky Mini Rice Mill was standing over road and on

making alarm the said Tractor dashed twicely the Scorpio. When Bhuar Yadav step down from his Scorpio, the petitioner-accused and other accused persons shot him to which he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. There is no specific allegation against the petitioner. General and Omnibus allegation has been made against the petitioner. Other co-accused has been granted anticipatory bail by this Court vide Cr. Misc. No. 32163/2015.

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 learned C.J.M., Bhojpur at Ara, in connection with Agiaon Bazar P.S. Case No. 23 of 2015.

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(Sudhir Singh, J)