

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24873 of 2014

Arising Out of PS.Case No. -82 Year- 1994 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Munnar Yadav Son of Late Prasad Yadav, Resident of Village-
Madanpur, Police Station- Naurangia, District- West Champaran

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Milind Kumar Mishra

For the Opposite Party : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 03-02-2015 Petitioner is languishing in custody since
08.10.2013 in a case registered for the offences punishable
under Sections 302, 307, 323, 324, 34 of the I.P.C and Sections
25, 26, 27 of the Arms Act.

It is alleged that miscreants entered into the
house of the informant and his brother and made
indiscriminate firing as a result Teni Yadav and Sattan Sah
succumbed to the injuries on the spot. Subsequently after
being discharged from hospital Hridya Narayan Sah also died.
It is claimed by the informant that Hridya Narayan Sah
conveyed to the informant that this petitioner was also the
member of the group of assailants. The petitioner was charge-
sheeted in 1998 but has been remanded in the present case in
2013. Though it is claimed that petitioner was in custody in
other case since 2005.

A statement has been made in para 3 of the petition that though petitioner is still accused in six other cases but he is on bail in all those cases. It is further submitted that police never recorded the statement of Hridya Narayan Sah.

Considering the fact that except Hridya Narayan Sah none suggested the presence of the petitioner at P.O., whose statement has not been recorded by the police under 161 Cr.P.C, though he died after months of receiving injury, 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 learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Choutarawa(Bathawaria) P.S. Case No. 82 of 1994, Trial No. 95 of 2013.

Let learned Court below positively cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in similar nature of offence or defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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