

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39818 of 2015

Arising Out of PS.Case No. -271 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Rahul Kumar @ Rahul Yadav Son of Naresh Yadav Resident of Village
Maranga, Kharanja Road, Police Station K. Hat (O.P. Maranga) District
Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. B.Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody since
16.5.2015 in connection with K.Hat (Sahayak) P.S. Case No. 271
of 2015 for the offences under Sections 302/120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that while the
informant along with his brother Chandra Prakash @ Chintu was
selling cloths in their cloth shop on 24.4.2015 at about 10.30
A.M., accused persons including the petitioner and 8-10
unknown persons armed with pistols came to the shop and taken
his brother Chandra Prakash out of the shop and accused Chhotu
Yadav alias Dhananjay fired from his pistol upon his brother
Chandra Prakash and after taking his brother to some distance all

the other accused fired upon him indiscriminately as a result of which his brother died on the spot.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 16.5.2015 and the charge sheet has been submitted in the case. The specific allegation is against one Chhotu Yadav alias Dhananjay. No specific injury is attributed against the petitioner. General and omnibus allegation has been made against the petitioner. Co-accused Binay Sah @ Binay Kumar @ Vinay Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 29258/2015.

On behalf of the State it is stated 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 Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 271 of 2015.

(Sudhir Singh, J)

S.Pandey/-

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