

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16453 of 2015

Arising Out of PS.Case No. -89 Year- 2013 Thana -BASNAHI District- SAHARSA

1. Chhatish Yadav @ Satish Yadav S/o Late Bachchan Yadav R/o village
Tamkulha, P.S. Basnahi, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-06-2015 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner seeks bail in connction with Basnahi P.S.
Case No. 89/13 for the offences punishable under sections 147,

148,149,341,323,302, 307, 447, 448, 504 and section 27 of the Arms Act.

The prosecution case, in brief, as disclosed in the fardbeyan of the informant Amrika Devi, is that her husband, daughter in-law and grand son were taking rest in the house and her son and grand son after taking food went to his room, and then the F.I.R. named accused persons having variously armed with weapons and fire arm came and started opening firing due to which his son Sito Yadav died on the spot and her daughter-in-law and grand son became seriously injured. The informant has claimed that she has identified the accused persons who participated in committing the occurrence.

It has been submitted on behalf of the petitioner that the main allegation of firing to the deceased is against Panna Yadav, Tempu Yadav and Pappu Yadav. The petitioner is said to have assaulted the informant and her husband with lathi. It is further submitted that there is no allegation against the petitioner for causing any injury upon the deceased.

It is further submitted that the petitioner is in jail since 24-11-2014. The other co-accused Pankaj Yadav has already been granted bail by this Court-vide order dated 7-4-2015 in Cr.Misc. No. 13194 of 2015.

It has been submitted on behalf of the State that the petitioner is named in the F.I.R..

Considering the facts and circumstances of the case and the fact that the other co-accused has been granted bail, let the petitioner Chhatish Yadav @ Satish Yadav be released on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Basnahi P.S. Case No. 89/13.

(Sudhir Singh, J)

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