

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24844 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -BISHWAMBHARPUR District- GOPALGANJ

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1. Upendra Yadav S/o Baliram Yadav R/o vill. - Isharapatti, P.S.
Bishambharpur, Distt. - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302/34, 120B, 504 of the Indian Penal Code and 27 Arms Act.

It is alleged that the informant and his son Ramashankar Yadav started going to the relative's house on a motorcycle when the FIR named accused persons followed them and as soon as the informant and his son reached near the house of this petitioner then the co-accused Sugriv Yadav shot the son of the informant, as a result he fell down and died.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR though his name sprang up during investigation since the petitioner was the person, who took

the informant to hospital. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the specific accusation of causing injury to the son of the informant is against co-accused Sugriv Yadav and the petitioner is not named in the FIR, let him be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gopalganj in connection with Bishambharpur P.S. Case No.69 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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