

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6723 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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Sumit Yadav son of Late Tribhuwan Yadav, R/o village- Arraha, P.S.- Sour
Bazar, District- Saharsa.... Petitioner
Versus
The State of Bihar.... Opposite Party
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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha
For the Opposite Party/s : Mr. Jitendra Kumar Roy 1 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in connection with Sour Bazar P.S.
Case No. 47 of 2014 registered for the offences punishable under
Sections 302, 34, 120B of the Indian Penal Code and Section 27
of the Arms Act.

Allegedly, the petitioner and other co-accused were
present at the place of occurrence having pistol in their hands at
the time of alleged occurrence and it is submitted on behalf of the
petitioner that only one injury has been found on the person of the
deceased and similarly situated co-accused Amit Yadav @ Amit
Kumar has been allowed bail vide Cr. Misc. No. 32854 of 2015 by
another co-ordinate Bench of this Court to which learned APP is
not in a position to distinguish the case of the petitioner from that
of co-accused.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 47 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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