

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4477 of 2016

Arising Out of PS.Case No. -249 Year- 2004 Thana -NAWADA District- NAWADA

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1. Raghunath Yadav Son of Shri Baso Yadav, Resident of village- Mangar
Bigha, P.O. + P.S.+ District- Nawada Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 10-02-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State. Also heard learned
counsel appearing on behalf of the informant.

The petitioner is named in Nawada Town P.S. case No.
249 of 2004 on the accusation that he opened fire causing injury to
one Rubi Devi but, admittedly, after investigation, the police
found the accusation untrue in respect of the petitioner and the
charge sheet was submitted against those persons who were named
by the father of the petitioner in Nawada Town P.S. case No. 248
of 2004, which was lodged for the same occurrence.

Contention on behalf of the petitioner is that, after due
investigation, the police found the accusation untrue against the
petitioner and other first information report named accused
persons of the present case but the learned court below differed
with the findings of the police and took cognizance for the offence

in the year 2009. It is further pointed by him that the petitioner moved for anticipatory bail, which was disposed of by a co-ordinate Bench of this court with certain observation and in the light of the aforesaid observation the petitioner surrendered before the court below but he was remanded in the alleged crime. It is also pointed out by him that one of the co-accused, Surendra Yadav, against whom there was allegation of causing death of the deceased of the present case, had already been granted privilege of anticipatory bail by a co-ordinate Bench of this court. Some other similarly situated accused had also been granted privilege of anticipatory bail by another Bench of this court.

Learned counsel appearing on behalf of the informant opposed the prayer for bail but taking into consideration the facts and circumstances of the case and submission of the parties, 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 Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. case No.249 of 2004.

(Hemant Kumar Srivastava, J)

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