

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16434 of 2016

Arising Out of PS.Case No. -276 Year- 2015 Thana -FATUHA District- PATNA

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1. Shiv Shankar Yadav S/o Ramashish Prasad Yadav, Resident of Village-
Naraina, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 302 and other minor sections of

the Indian Penal Code and Section 27 of the Arms Act.

Petitioner and eleven persons are named in the first

information report whereas it is alleged that named accused as

well as 15-20 unknown persons having armed with lethal weapons

went at the land of the informant and got started construction but

when informant made protest, petitioner and his associates made

indiscriminate firing and it is stated that petitioner dragged out one

Sarita Devi from her house to whom co-accused, Birendra Prasad

shot fire at the instigation of Pappu Yadav.

Contention on behalf of the petitioner is that petitioner is not an assailant and as a matter of fact, there was land dispute between the parties as a result of which petitioner has been implicated in this case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Ratan, Judicial Magistrate 1st Class, Patna City in connection with Fatuha P.S. Case No. 276 of 2015.

(Hemant Kumar Srivastava, J)

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