

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25526 of 2016

Arising Out of PS.Case No. -240 Year- 2012 Thana -ALAU LI District- KHAGARIA

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Sanjay Yadav Son of Ram Chandra Yadav resident of village - Hathwan,
Police Station Alauli, District - Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2016

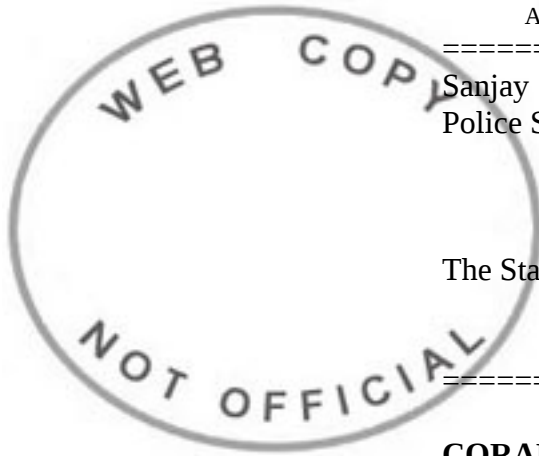
Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that while informant and her family members were cutting crops, due to land dispute the petitioner along with other accused persons came on horses and fired shots at the husband of the informant, who died in course of treatment.

It has been submitted on behalf of the petitioner that he is in custody since 30.6.2015. Chargesheet has been submitted against the petitioner. No allegation of tampering of evidence is alleged against the petitioner. As per F.I.R., petitioner is said to have caused fire arm injury on the leg of the deceased. From perusal of the post mortem examination report it appears that there is no fire arm injury on the leg of the deceased. There is admitted land dispute between the parties and a Title Suit is also pending. Hence, he has falsely been implicated in the present case. The fatal injury is said to have been caused by one Ramjee Yadav.

On behalf of the State, it is submitted that petitioner is



named in the F.I.R. but the post mortem examination report does not support the allegation made in the F.I.R. against the petitioner.

Considering the aforesaid facts and circumstances, , let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Khagaria , in connection with Sessions Trial no. 263 of 2015 arising out of Alauli P.S. Case no. 240 of 2012.

(Sudhir Singh, J)

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