

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23405 of 2016

Arising Out of PS.Case No. -570 Year- 2015 Thana -FATUHA District- PATNA

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1. Ram Sagar Prasad @ Ram Sagar Yadav Son of Ram Dayal Yadav
resident of village - Maujipur, Police Station Fatuha, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Snr. Adv

For the Opposite Party/s : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 17-08-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Fatuha P.S Case No. 570 of 2015 for the offences registered
under Sections 302/120(B)/34 of the Indian Penal Code.

The petitioner is alleged to be one of the persons who
has been named in the FIR. The allegation is that six unknown
persons came on two motorcycle and while the brother of the
informant had come close to the house they started firing upon
him resulting in his death. It has been alleged, that since three
months back, these petitioners had threatening the said Shankar
Kumar and as such there was all the suspicion, that they had
participated in the occurrence.

Learned counsel for the petitioner, after perusal of the
case diary submits that the petitioner is suspected to have been

one of the participants of the said occurrence in which, on account of firing by one of the six, the deceased succumbed to injury. The materials which have surfaced in the case diary reflects that it was one Randhir and not this petitioner who had allegedly fired at the deceased save and except the false allegation, there is no further cogent material in the case diary to implicate the present petitioner in the said offence. Admittedly, there are no eye witnesses to the occurrence.

Having heard learned counsel for the petitioner and after consideration of the materials which has surfaced in the case diary and also because that the petitioner has no criminal antecedent and further because the similarly situated one Chandra Shekhar Singh, has also been extended the privilege of anticipatory bail in Criminal Misc. Case No. 18693 of 2016 let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Ratan, Judicial Magistrate, Patna City, in connection with Fatuha P.S. Case No. 570 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

siddharth/-

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(Anjana Mishra, J)