

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50826 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -AMDABAD District- KATIHAR

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Kisto Yadav @ Kesto Yadav, S/o Late Babulal Yadav, residence of
Village- Dhanmaniya (Gowagachhi), P.S.- Amdabad, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Tapeswar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 20-07-2016 Heard Sri N.K.Agrawal, learned Senior Counsel,

who was assisted by Sri Deepak Kumar, learned counsel for the

petitioner and Sri Tapeswar Sharma, learned Addl. Public

Prosecutor.

The sole petitioner, who is in custody since
25.09.2015 in Amdabad P.S. Case no.39/2015 registered for the
offence under Sections 302, 120(B)/34 of the Indian Penal Code
and Section 27 of the Arms Act, has prayed for grant of bail.

It was submitted by learned counsel for the
petitioner that save and except suspicion, there is no material
against the petitioner. The petitioner is aged about 75 years and is
rotting in jail since long. It has been argued that some of the
accused persons have been granted bail by this Court. On the

aforesaid ground, learned counsel for the petitioner has prayed for grant of bail, whereas learned Addl. Public Prosecutor submits that in number of paragraphs of the case diary, the name of the petitioner has come. It has been argued that the deceased before his death had disclosed to the informant that two named accused along with others have committed offence, in which three persons were done to death.

In view of facts and circumstances, particularly the fact that the petitioner's name has come in the case diary, there is ground to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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