

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20686 of 2016

Arising Out of PS.Case No. -83 Year- 2007 Thana -MAHISI District- SAHARSA

Subodh Yadav, Son of late Kari Yadav, resident of Village-Chanan, P.S.-
Salkhua, District-Saharsa. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 23-05-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mahishi P.S. Case No. 83 of 2007 registered under Sections
302 read with 34 of the Indian Penal Code and 27 of the Arms
Act.

It is submitted by the learned counsel for the
petitioner that the charge-sheet against the petitioner has been
submitted merely on suspicion and a similarly circumstanced co-
accused, namely, Radharaman Yadav has already been granted
pre-arrest bail by a Bench of this Court vide order dated
29.01.2016 passed in Cr. Misc. No. 10654 of 2015.

Learned counsel for the State has opposed the application filed under Section 438 of the Code of Criminal Procedure. However, he concedes that the case of the petitioner stands on identical footing to that of co-accused Radharaman Yadav.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 83 of 2007 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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