

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21765 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -PHULWARIA District- GOPALGANJ

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1. Lal Bahadur Yadav Son of Manegar Yadav	Resident of village -
Gosaisia, P.S. Bhore, District - Gopalganj	 Petitioner
Versus	

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Phulwaria P.S. Case No. 20 of 2016 registered for the offences punishable under Sections 307, 353, 427/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, 7-8 unknown miscreants opened firing on the Police personnel and Police Jeep causing injury to Hawildar Shyam Bihari Singh, constable Dharmnath Prasad, constable Upendra Kumar and to the informant. During investigation name of the petitioner transpires in the statement of co-accused Subhawati Devi and further the petitioner also confessed his guilt.

Submission is of false implication and that besides confessional statement of co-accused and the petitioner there is no other legal and tangible material against him, the petitioner is in

custody since 18.03.2016 and as such he deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner has confessed his guilt also.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIII, Gopalganj in connection with Phulwaria P.S. Case No. 20 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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