

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.36332 of 2016**

Arising Out of PS.Case No. -114 Year- 2015 Thana -PARAIYA District- GAYA

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Raja Yadav Son of Late Ram Chandra Yadav, resident of Village- Kastah  
Tola, Pandit Bigha, Police Station- Paraiya, and District- Gaya.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Gajendra Kumar Singh

For the Opposite Party : Mr. Sakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3 25-10-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

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

The prosecution story, in brief, is that when the  
informant was at her shop, accused Ranjit Vishwakarma came at  
her shop and purchased two cigarettes and asked about uncle then  
she told that he is in his Gumti. Thereafter he called by his mobile  
and told to come as he is standing on his door. After sometime,  
when her husband came and asked about Ranjit then she told that  
he went away. After sometime, she went to cook meal along with  
her niece. It is further alleged that two persons entered into the  
house and went in the room of her husband and fired from the  
pistol upon her husband. Thereafter her husband shouted that he

identify him and tried to catch hold but again he fired on the door as a result of which, he fell down. When she came near her husband, he disclosed that he received bullet injury and told to take him to the hospital, where the doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.11.2015. The charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the First Information Report. There is no eyewitness to the alleged occurrence. Except for the self confession of the petitioner, there is no other substantive evidence to suggest his implication in the present case. The other co-accused has been granted bail vide Cr. Misc. No. 18989 of 2016.

On behalf of the state, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 Santosh Kumar Dubey, Judicial Magistrate-1<sup>st</sup> Class, Gaya in connection with Paraiya P.S. Case No. 114 of 2015.

**(Sudhir Singh, J.)**

Amit/-

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