

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33010 of 2016**

Arising Out of PS.Case No. -37 Year- 2016 Thana -GOPALPUR District- BHAGALPUR

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Rupesh Kumar @ Lelhu Yadav @ Lelhu, Son of late Umesh Yadav,  
Resident of Village- Bari Makandpur, Police Station Gopalpur, District  
Bhagalpur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL ORDER**

2      20-08-2016                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 17.02.2016 in connection with Gopalpur P.S. Case No. 37 of 2016 for the offences alleged under Sections 147,148, 341, 307, 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and even according to the first information report itself, the main assailant is co-accused Manoj Yadav @ Munna Yadav who is said to have fired on the deceased whereas the petitioner is said to have assaulted Pankaj Yadav by the butt of the country made Katta on his head whose injury is simple in nature.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachia, District Bhagalpur in connection with Gopalpur P.S. Case No. 37 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

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