

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33056 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MARANCHI District- PATNA

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Bikash Kumar @ Bikash Yadav Son of late Kishun Yadav, Resident of
village- Sherpur, P.S. Maranchi, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

For the Informant : Mr. Pramod Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2016 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the I.P.C. and Section 27 of the
Arms Act.

The prosecution case, in brief, is that on the alleged
date and time of occurrence the informant's son, namely, Umesh
Sahani along with some Sahani family went to fishing at Ganga
river, in the meantime the accused persons including the petitioner
reached there and made fire upon his son, resulting his death.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22.4.2016 and the charge sheet
has been submitted in the present case. The petitioner has got no

criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. As per the F.I.R., general and omnibus allegation has been made. No specific injury has been attributed against the petitioner nor any specific weapon has been attributed to the petitioner. Paragraph 106 of the case diary is the confessional statement of co-accused Nitish Yadav, where it has been alleged that Ajay Yadav is said to have given two fire shots upon the deceased. The postmortem report also supports the said allegation.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, it is directed that 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 Deepak Kumar, J.M. 1st class, Barh, District Patna in connection with Maranchi P.S. case No.17 of 2016.

(Sudhir Singh, J)

Narendra/-

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