

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30462 of 2016

Arising Out of PS.Case No. -86 Year- 2006 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Bipin Yadav Son of Yugo Yadav @ Yugeshwar Yadav, resident of Village-
Chanan, P.S- Salkhua, District- Saharsa.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioner and the State.

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 story, in brief, is that on the alleged date and time of occurrence the informant's husband, namely, Bidur Yadav went to purchase Bidi in nearby shop after taking meal and slept outside on a Machan, where one Sanjay Sah was also sleeping at Machan. In the night the accused persons named in the F.I.R. and other associates ten in numbers came armed with rifle and killed the husband of the informant. After hearing gun shot the informant moved to search her husband but she did not find him. It is also stated that the accused persons fled away towards east by committing murder of her husband.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 25.1.2016 and 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 F.I.R. In course of investigation suspicion has been raised against the petitioner. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

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

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 learned 2nd Additional District & Sessions Judge, Saharsa in connection with S.T. No.49 of 2016 corresponding to Simri Bakhtiyarpur P.S. case No.86 of 2006.

(Sudhir Singh, J)

Narendra/-

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