

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53607 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -CHAKAI District- JAMUI

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Congress Yadav @ Niwash Yadav son of Budhan @ Brahamdeo Yadav,
resident of Village- Jamha, P.S. Chandramandi, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 302 and 34 of the Indian Penal Code and 3, 4 and 5 of the Explosive Substances Act.

Allegation is that wife of deceased went to file her nomination for Panchayat Election and deceased was also with her. After filing nomination while they were returning, some criminals hurled bombs at the deceased, who died on way to hospital.

It has been submitted on behalf of petitioner that he is in custody since 4.7.2016. Chargesheet has been submitted against petitioner. No allegation of tampering of witnesses is alleged against petitioner. Petitioner is not named in the F.I.R. In course of investigation in the confession of the co-accused it has been alleged that petitioner is one of the conspirators. As per confession, the main allegation is against Karu and Titua. There is no eye witness to the alleged occurrence nor there is any substantive evidence to suggest his implication in the present case.



Other co-accused has been granted bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Jamui, in connection with S.T. no. 185 of 2016 arising out of Chakai P.S. Case no. 20 of 2016.

(Sudhir Singh, J)

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