

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36878 of 2016

Arising Out of PS.Case No. -37 Year- 2002 Thana -BIKRAM District- PATNA

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1. Nepali Yadav son of Late Motihari Yadav, resident of Village-Dhana,
Police Station- Ranitalab, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-10-2016 Heard learned counsel for the petitioner and the State.

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

The prosecution story, in brief, is that the informant used to sell carpet in Mela and on 1.2.2002 at 1.30 A.M. 2-3 unknown miscreants came there to purchase carpet. A dispute arose over price, as a result of which scuffle took place between them. In the meantime, one of the miscreants fired upon the grand father of the informant, who instantly died and the accused also took out Rs.2850/- from his pocket.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.6.2016 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. The petitioner is not named in the F.I.R. Except for the confessional statement of the co-accused, there is no other substantive evidence to suggest his implication 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 Sri Randhir Kumar, J.M., 1st class, Danapur, Patna in connection with Bikram (Dulhin Bazar) P.S. case No.37 of 2002.

(Sudhir Singh, J)

Narendra/-

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