

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35886 of 2016

Arising Out of PS.Case No. -42 Year- 2013 Thana -SALAIYA District- AURANGABAD

1. Sanjeet Yadav son of Asharfi Yadav, Resident of Village- Raja Bigha, Police Station- Salaiya, district- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 06.05.2016 in a case registered for offences alleged under Sections 147, 148, 149, 445, 307, 504 of the Indian Penal Code, 27 of Arms Act and 17 of C.L.A. Act.

The prosecution case is that on 27.08.2013 at about 7.15 P.M. while the informant was at his home and teaching his children, 8-10 persons came with fire arms and other deadly weapons and tried to open the door of his house. They were abusing the informant alleging that he is informer of police, as such, he will be killed. On hulla raised by the informant, accused persons started firing. Informant, some how escaped and informed

the police. When accused persons learnt that police is arriving, they fled away.

It has been submitted by the learned counsel for the petitioner that no overt act has been committed by the petitioner. He further submits that due to dirty village politics, the petitioner has been falsely implicated.

Learned Counsel for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since no overt act has been committed by the petitioner and considering the period of custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Salaiya P.S.Case No. 42 of 2013.

(Nilu Agrawal, J)

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