

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39147 of 2016

Arising Out of PS.Case No. -213 Year- 2014 Thana -KARPI District- JEHANABAD

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Mahendra Yadav son of Late Arjun Singh Resident of Village - Mahua
Bagh, P.S. - Karpi, District - Arwal.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Sinha

For the Opposite Party : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case instituted under
Section 302/34 of the Indian Penal Code.

The allegation against the petitioner is that he along
with other co-accused persons caught hold the father of the
informant and took him to field and thereafter the petitioner along
with co-accused Ravi Kumar and Munna Kumar shot at the chest
of the father of the informant and accused Lalu Yadav gave knife
blow resulting into his death.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application with a liberty
to renew his prayer for bail, if the trial is not concluded within a

period of one year from the date of receipt/production of a copy of the order.

A report was called for from the trial court. The same is at flag-A.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.02.2015 and charges have already been framed. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. As per the prosecution case, three persons are said to have fired upon the deceased i.e. the petitioner, co-accused Munna Kumar Yadav and Ravi Kumar. In the postmortem report, there is only one firearm injury on the body of the deceased. The other co-accused namely, Munna Kumar Yadav, has already been granted bail vide Annexure-7 to the present application by another co-ordinate Bench of this Court. As far as Ravi Kumar is concerned, he has also been granted bail by the Court below holding him to be a juvenile.

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

Considering the aforesaid facts and circumstances and other co-accused persons have been granted bail, let 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 the learned Chief Judicial Magistrate,
Arwal in connection with Karpi P.S. Case No. 213 of 2014.

(Sudhir Singh, J.)

Amit/-

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