

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39050 of 2016

Arising Out of PS.Case No. -330 Year- 2016 Thana -SAHARSA District- SAHARSA

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Naveen Yadav S/o Shatrughan Yadav, resident of Village- Sirrahi, P.S.-
Sour- Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-11-2016

Heard both sides.

The petitioner seeks bail in Saharsa Sadar P.S. Case No. 330/2016 registered under Section 302 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that her husband slept after taking food. On the request of her daughter, the informant went to see the fair. When the informant and her three daughters returned, they did not find Shyam Sundar Tanti in the house. The informant asked her daughter to ring her father but he did not take up the call. During the course of search along with Chhotu, it was found that her husband was shot dead. The informant suspected that Ranjit Yadav might have killed her husband on account of previous enmity.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Name of the petitioner figured

in the case in the confessional statement of co-accused Bhavesh Tanti and Vijay Kumar Yadav but no specific allegation of assault is made against the petitioner.

Learned A.P.P. stated that Garib Das also saw Vikash Yadav, Amit Yadav and others but did not name the petitioner.

It appears that the name of the petitioner figured in the case in the confessional statement of co-accused Bhavesh Tanti but no specific allegation of assault is made against the petitioner. Nothing has been recovered from the possession of the petitioner.

Considering the fact that save and except the name of the petitioner figured in the confessional statement of a co-accused, that too, without any specific allegation and no other incriminating material has been collected showing involvement of the petitioner in the case, the above named petitioner is directed to be enlarged 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, Saharsa in Saharsa Sadar P.S. Case No. 330 of 2016.

(Prabhat Kumar Jha, J)

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