

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50775 of 2015

Arising out of PS.Case No. -277 Year- 2015 Thana -DUMRAUN District- BUXAR

Murli Yadav @ Murari Yadav, Son of Sukh Nandan Yadav, Resident of Village: Purana Bhojpur, P.S. Dumraon (New Bhojpur O.P.). District: Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Pushpa Sinha 2 (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Dumraon P.S. Case No. 277 of 2015 for the offences instituted under Sections 341, 307, 353, 354, 504, 323/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence, when the informant with armed forces were on Law-and-Order duty, on secret information regarding eve teasing with female on the road on the occasion of *Shrawan Puja*, and when they reached there found two persons started fleeing with *Apache Motorcycle* and when they were chased, the pillion

rider fired two rounds from pistol taken out from his waist and taking advantage of darkness, they managed to escape. Further when returned to the place (Kali Mandir), the *Chaukidar* has named that two fleeing persons and the petitioner is amongst them and the informant also found two empty cartridges and in seizure list was prepared.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Though the case has been instituted for the offence under Section 307 of the IPC but no one is said to have been injured in course of occurrence. The petitioner is named in the FIR due to local politics. He is in Arms Forces and he had come on his vacation.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. but admittedly none has been injured in course of occurrence.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Dumraon P.S. Case No. 277/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar, subject to the conditions

as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

