

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42369 of 2016

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Nepali Yadav @ Jivan Yadav son of Gajo Yadav Resident of Mohalla-
Sadipur, P.S.- Kasim Bazar, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kasim Bazar P.S. Case No. 153 of 2015, corresponding to
S.C. No. 164 of 2016, for the offences instituted under Sections
302, 379/34, 120B of the Indian Penal Code and Section 27 of the
Arms Act.

It is alleged that co-accused Dasrath Yadav @ Bahira
taking out country made pistol from his waist and shot fire on the
deceased and fled away after taking the motorcycle of the
deceased.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He has falsely been
implicated in the present case. There is no allegation of tampering



of witnesses alleged against the petitioner. The main allegation is against co-accused Dasrath Yadav, who is said to have fired upon the deceased, causing his death. No overt act or any injury has been attributed against the petitioner. He is said to be the member of the unlawful assembly.

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, let the petitioner above named be released on anticipatory 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 Kasim Bazar P.S. Case No. 153 of 2015, corresponding to S.C. No. 164 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Munger, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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