

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17914 of 2016

Arising Out of PS.Case No. -623 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Birendra Yadav, son of Raghunath Yadav Resident of village - Pothiya, P.S.
- Simraha (Forbesganj), Dist - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Forbesganj (Simraha) P.S. Case No. 623 of 2015, registered under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(V) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act.

The accusation is that in the night of 07/08-11-2015, the informant and her husband was sleeping at the door at about 1.00 A.M. in the night she woke up on the sound of the firing and saw that this petitioner was caught hold her husband Mahanand Ram, whereas co-accused Bablu Yadav, brother of the petitioner and Kamlesh Yadav shot fire at husband of the informant, who died on the spot.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the allegation of causing fire arm injury is against the co-accused Bablu Yadav and Kamlesh Yadav and the allegation against the petitioner is that he caught hold to the deceased. The petitioner is in custody since 10.11.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge-cum-Special Judge, Araria in connection with Forbesganj (Simraha) P.S. Case No. 623 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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