

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6759 of 2016

Arising Out of PS.Case No. -517 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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Kailash Yadav S/o Rajendra Yadav R/o Village - Tilahi, P.S. - Sour Bazar
(Patarghat O.P.), District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr. M.K.Khare (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the neighbour of the informant Khamsheri Devi was hitting the buffalo with broom which was protested by the son of the informant Dilkhus Yadav when the accused persons including the petitioner dragged the son of the informant thereupon Santosh Yadav and Ramanand Yadav shot the informant's son dead.

It is submitted by learned counsel for the petitioner that the accusation of causing gunshot injury is not against the petitioner and cause of death has been found by the doctor due to

bullet injury. Moreover, the postmortem report of the victim does not suggest the dragging injury. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the thrust of accusation against Santosh Yadav and Ramanand Yadav, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 517 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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