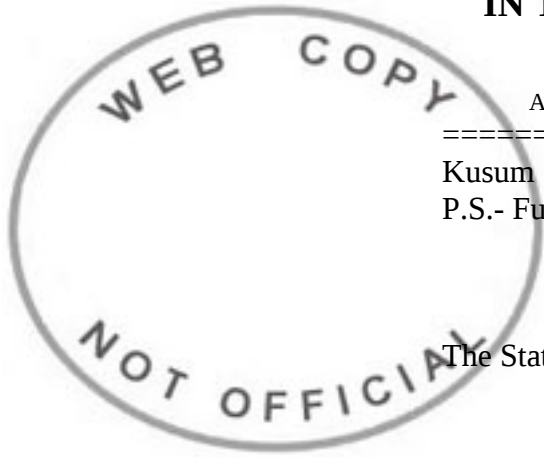




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6089 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -BHORE District- GOPALGANJ

=====

Kusum Yadav son of Late Jangali Yadav, Resident of village- Koila Devi,
P.S.- Fulawaria, District- Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Sangita Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under sections 447, 448, 504, 506/34, 307 and 386 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named accused person being armed came at the Bathan of the informant, co-accused Yogendra Yadav, petitioner and Majister Yadav having gun in their hand, shot the father of the informant and Rajendra Yadav having rifle was instigating to kill and thereafter, they opened fire resulting the condition of the father of the informant became serious and earlier Loha Yadav has demanded

ransom of Rs.2 lac and due to non payment, they have committed the crime.

Submission is of false implication and that there is no specific allegation against the petitioner, similarly situated co-accused Magister Yadav @ Rajister Yadav has been allowed bail vide Cr. Misc. No.44090 of 2015 and further Abbas Ansari @ Abbas Miyan has also been allowed bail by another Co-ordinate Bench of this Court. Only one injury was found on the body of the victim and as such, the petitioner also deserves sympathetic consideration to which learned A.P.P. fairly submits that victim in his statement recorded in paragraph-44 of the case diary has made general and omnibus allegation.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S. Case No.11 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part

without any reason shall disentitle the petitioner from privilege of
bail.

(Jitendra Mohan Sharma, J)

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