

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13405 of 2016

Arising Out of PS.Case No. -107 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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Ajay Yadav S/o Upendra Yadav Resident of village - Khirkhiria Tola,
Police Station - Murliganj, District - Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Singh, Advocate.

For the Opposite Party : Mr. B.N.Panday(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Murliganj P.S. Case No. 107 of 2014 registered for the offences
punishable under Sections 147, 148, 149, 323, 341, 307, 504 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegedly the petitioner and other F.I.R. named
accused persons opened fire upon the informant but he did not
receive any injury.

Submission is of false implication and that the
informant has lodged this false case, at the place of occurrence no
empty cartridge was recovered, the prosecution story appears not
probable and reliable and without any legal and tangible material,

the petitioner is suffering in custody since 27.08.2014, other co-accused Upendra Yadav has been allowed bail vide Cri. Misc. No. 26999 of 2015 by another co-ordinate Bench of this Court.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner named above is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IIIrd, Madhepura in connection with Murliganj P.S. Case No.107 of 2014, subject to 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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