

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17034 of 2016**

Arising Out of PS.Case No. -316 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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Rishikesh Yadav @ Rishikesh Kr. Yadav son of Basudeo Yadav, Resident  
of village- Jairampur, P.S.- Bihpur, District- Bhagalpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Nitya Nand Tiwari(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      24-05-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 323, 341, 324, 302 and 120B of the Indian Penal Code and 27 of the Arms Act.

Prosecution case, in brief, is that on 14.8.2015 at night the informant along with his son (deceased) and other persons were sleeping. Suddenly, he woke up upon hearing the sound of firing. He rushed to that direction and found his son injured. Thereafter, his son was taken to the hospital but he succumbed to his injuries.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 28.11.2015. Chargesheet has been submitted in the present case. Petitioner is not named in the F.I.R. His name has come in course of investigation. Since there was some love affair between the petitioner and the wife of the deceased, it has been suspected that petitioner was in the conspiracy in respect to commission of murder of the deceased. There is no eye witness to the occurrence

nor there is any direct or indirect evidence. Except for the confession before the police, there is no substantive evidence to suggest implication of the petitioner in the present case.

On behalf of the State and the informant, it is submitted that petitioner is not named in the F.I.R. Subsequently, in course of investigation his name has come.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia, in connection with Sadar P.S. Case no. 316 of 2015 giving rise to G.R. no. 3590 of 2015.

**(Sudhir Singh, J)**

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