

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37123 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -DHARHARA District- MUNGER

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Rupesh Yadav Son of Late Jalo Yadav Resident of village - Singhiya, P.S.
Naya Ram Nagar (Safiasarai O.P.) District Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate.

For the Opposite Party : Dr. Indihar Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-10-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 341, 147, 148, 149, 353, 333, 332, 307 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution story, in brief, is that the informant
being A.S.I. got secret information that the accused persons have
looted the Masoor and Sarso crops, planted on three bighas of
land of Baleshwar Yadav and made him captive. On this
information, the informant along with other police personnel
reached at the place of occurrence but the accused persons fled
away by making firing. On chase, the informant caught Pintu
Yadav and Ranbir Yadav, who disclosed the name of the
petitioner along with Guljabi. On being searched, two empty
cartridges and one live cartridge were recovered from the
agricultural land of Mrityunjay and accordingly, seizure list was

prepared.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.04.2016. The charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation has been made against the petitioner. The other co-accused have been granted bail vide Cr. Misc. No. 31619 of 2016 and Cr. Misc. No. 19745 of 2016. None is said to have been injured in the occurrence. It is further submitted that the petitioner may be released, after completion of nine months in custody i.e. from 14.04.2016.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of nine months in custody i.e. from 14.04.2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sonelal Rajak, Judicial Magistrate, 1st Class, Munger in connection with Dharhara P.S. Case No. 35 of 2016.

(Sudhir Singh, J.)

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