

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25679 of 2016

Arising out of PS.Case No. -110 Year- 2005 Thana -ALOULI District- KHAGARIA

Binodi Yadav, Son of Late Harilal Yadav, resident of village - Bikhari Ghat, P.S. Alauli, District – Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

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

For the Opposite Party : Mr. Sri Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 08.10.2015 in connection with Sessions Case No. 437 of 2011, arising out of Alauli P.S. Case No. 110 of 2005 for the offences instituted under Sections 364, 386/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that while the informant alongwith other was going to Khagaria, six miscreants including the petitioner intercepted the motorcycle and the petitioner pointed pistol on the informant and demanded rupees to which the informant protested and then the petitioner fired on the informant which hit his left thigh touching the scrotum. It is further alleged that the petitioner took Rs. 1,30,000/- from him and

other accused persons dragged him to the bank of river and took him and Ramesh on boat and proceeded towards Kamla river but when the informant was informed about the police chasing them then all the accused/petitioner left the informant and fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.10.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The kidnapped boy was released within fifteen minutes of the alleged occurrence. The other co-accused has been granted bail vide Annexure-6 to the present application.

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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV, Khagaria, in connection with Sessions Case No. 437 of 2011, arising out of Alauli P.S. Case No. 110 of 2005.

U.K./-

(Sudhir Singh, J)

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