

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3138 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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Murat Yadav, Son of Late Sagam Yadav, Resident of Village-Danda Tola,
P.S. Phulparas, District Madhubani.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial
No.402 of 2016, arising out of Phulparas P.S. Case No.195 of
2016/G.R. No.1024 of 2016, registered under Sections 147, 148, 149,
341, 323, 326, 307 and 302 of the Indian Penal Code besides Section 27
of the Arms Act.

The accusation is that in course of measurement of the land
by the Amin, all the accused persons, named in the F.I.R., including the
petitioners and 8-10 unknown, having firearms in their hands came
there and, thereafter, Sukhsagar Yadav started to uproot the peg in spite
of making protest by the Amin. The informant asked Sukhsagar Yadav
that if there is any suspicion, then got the land measured through



another Amin on which Sukhsagar Yadav fired from his gun causing injury to the son of the informant. At that time, Lochan Yadav, Pramod Yadav, Hari Yadav and Chandan Yadav also fired at the son of the informant, who died in course of treatment at D.M.C.H.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner is the co-villager of the informant and he was not present at the time of measurement of the land by the Amin but with an ulterior motive, the petitioner has been named in the F.I.R. without any specific overt act. The petitioner having no criminal antecedent is in custody since 29.06.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Madhubani, District-Madhubani, in connection with Sessions Trial No.402 of 2016, arising out of Phulparas P.S. Case No.195 of 2016/G.R. No.1024 of 2016.

(Rajendra Kumar Mishra, J)

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