

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10088 of 2017

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

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Ram Sagar Yadav Son of Late Kailu 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. Hriday Narayan Harshit
For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-03-2017 Heard both sides.

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 and 27 of the Arms Act.

Owing to land dispute, the F.I.R. named accused namely, Sukhsagar Yadav fired at the son of the informant on account of which, he fell down and injured. Thereafter, the other co-accused persons namely, Lochan Yadav, Pramod Yadav, Hari Yadav and Chandan Yadav also fired at the son of the informant.

Learned counsel for the petitioner submits that altercation took place owing to land dispute between both the



parties. There is no allegation of overt act against the petitioner. Similarly situated co-accused Murat Yadav and Dilip Yadav have been allowed bail by a co-ordinate Bench of this Court vide order dated 08.02.2017 and 13.02.2017 passed in Cr. Misc. No. 3138 of 2017 and 4490 of 2017 respectively. The case of this petitioner stands on similar footing and he deserves bail. The petitioner is in custody since 04.09.2016 having no criminal antecedent.

Learned APP, on the other hand, opposed the prayer.

Considering the nature of the allegation against the petitioner and similarly situated co-accused enjoying the privilege of bail, his prayer of bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and 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

(Sanjay Kumar, J)

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