

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24554 of 2017

Arising Out of PS.Case No. -734 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Babu Sahab @ Babu Sahab Yadav, S/o- Upendra Yadav, Resident of
Village- Sahugarh, Diwani Tola, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 30-06-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Madhepura P.S. Case No. 734 of 2016, registered under Section
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that, on 03.12.2016, informant had
gone to attend the call of nature in the field of Md. Buchhan. At
that time, seven persons named in the F.I.R. including the
petitioner armed with country made pistol and rifle surrounded
him. The informant raised alarm then his son Bablu Yadav came
to save him. In that meantime, all accused persons shot fire at the
right arm and chin of Bablu Yadav, son of the informant.
Thereafter, son of the informant was rushed to Sadar Hospital



where he died in course of treatment.

Learned counsel for the petitioner submits that occurrence is said to be at 9.15 P.M. in the night but the informant has not disclosed about the lighting, in which, accused persons were identified by the informant. It is further submitted that co-accused, Manoj Yadav @ Manoj Kumar and Gautam Kumar, have already been granted privilege of bail by a Bench of this Court vide orders dated 01.05.2017 and 19.05.2017 passed in Criminal Misc. Nos. 15638 of 2017 and 21247 of 2017 and the petitioner is in custody since 08.03.2017.

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 Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 734 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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