

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25361 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Bambam Das, S/o Kalanand Das, Resident of Village- Palasi Ward No. 01,
P.S.- Narpatganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 06-06-2017 Heard Shri Anil Prasad Singh, learned advocate for the

petitioner and learned APP for the State.

The petitioner is seeking regular bail in connection with
Narpatganj P.S. Case No. 23 of 2017 registered under sections
302/34 and 120B IPC read with section 27 of the Arms Act.

The prosecution story as alleged in the FIR is that while
the informant had gone with her husband to purchase vegetable at
Chakradaha Hat, two persons, namely, Suraj Yadav @ Tuntun
Yadav and Ranjeet Yadav fired on her husband from behind and
thereafter fled away. It is alleged that two other persons riding on
a motorcycle also fled away and they could not be identified.

The learned counsel for the petitioner submits that the
petitioner is not named in the FIR and the petitioner and the



informant are co-villagers and, therefore, the petitioner could have been easily identified by the informant. The learned counsel would further submit that the two persons have been specifically named and overt act has been alleged against them. So far as the present petitioner is concerned, his name transpired in a confessional statement of one Rahul Kumar Yadav. Learned counsel has placed a copy of the order dated 03.5.2017 passed in Criminal Misc. No. 20640 of 2017 and submitted that the petitioner in the said case, namely, Binod Yadav had been granted privilege of bail. The case against the petitioner is similarly situated.

The learned APP opposed the prayer for bail.

However, the materials available on record would show that the co-accused has been granted bail by a coordinate Bench of this Court and the petitioner is not named in the FIR as also that the petitioner has no criminal antecedent, I am inclined to grant bail to the petitioner, namely, Bambam Das on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Araria in connection with Narpatganj P.S. Case No. 23 of 2017.

(Rajeev Ranjan Prasad, J)

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