

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62469 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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Indal Yadav S/o Sagar Yadav @ Ram Sagar Yadav Resident of Village -
Dani Bigha, P.S. - Sheikhpura (Kushumbha), District - Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner who is languishing in judicial custody since
30.01.2017 seeks bail in connection with Sheikhpura
(Kushumbha) P.S. Case No. 128 of 2016 for offences punishable
under Sections 326/307/302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he and another person Ashok Kumar @ Gorelal were
returning from election campaign, three miscreants open fire on
which the informant received injury on his left side of the chest
and Ashok Kumar @ Gorelal managed to flee away towards the
river. Subsequently he came to know that said Ashok Kumar @



Gorelal had been killed.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and made accused only on account of politics as the wife of one of the accused had contested election. He submits that confessional statement of the petitioner before the police has no evidentiary value in the eye of law and that one of the co-accused has been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 58394 of 2017 on 12.12.2017.

Earlier, bail application of the petitioner was rejected by this Court in Cr. Misc. No. 21442 of 2017 dated 21.06.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura (Kushumbha) P.S. Case No. 128 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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