

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52535 of 2016

Arising Out of PS.Case No. -71 Year- 2014 Thana -HALSI District- LAKHISARAI

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Dinesh Yadav Son of Boudhu Yadav, R/o- village-Gulani, P.S.- Halsi,
District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, Dinesh Yadav, is in custody since 20.06.2014
in connection with S.Tr. No. 140 of 2016 arising out of Halsi P.S. Case
No. 71 of 2014 registered under Sections 147, 148, 149, 120B, 302 of
the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner has submitted that there
is no specific allegation against this petitioner, which is also evident
from the F.I.R. The only allegation against this petitioner is that he
along with others made indiscriminate firing causing firearm injury to
the deceased. Further, from perusal of the post mortem report, it
appears that altogether five firearm injuries were found on the person of
the deceased but according to paragraph 24 of the case diary, which is
statement of witness, namely, Vikash Kumar, son of deceased, in
which, he has specifically stated that one co-accused, Parmeshwar



Yadav, who shot fire on the deceased and the deceased fell down on the spot. Moreover, co-accused namely, Munshi Yadav and Bikram Yadav, having similar allegation have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 15850 of 2015 and Cr. Misc. No. 2448 of 2016, respectively.

4. Learned A.P.P. appearing on behalf of the State has submitted that the petitioner is named in the First Information Report.

5. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge, Lakhisarai in connection with S.Tr. No. 140 of 2016 arising out of Halsi P.S. Case No. 71 of 2014.

(Arvind Srivastava, J)

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