

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55675 of 2016

Arising Out of PS.Case No. -10 Year- 2003 Thana -FATEHPUR District- GAYA

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Kali Yadav, Son of Late Sohar Yadav, R/o Village- Akalbigha, P.S.
Fatehpur, District- Gaya. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Fatehpur P.S.
Case No. 10 of 2003 registered for the offences punishable under
Sections 147, 148, 149, 302 of the Indian Penal Code and Section
27 of Arms Act.

Allegedly, the assailant is co-accused Mahendra Yadav and
the petitioner is simply the member of mob.

Submission is of false implication and that the petitioner
without any fault is suffering in custody since 19.09.2016, the
petitioner has got no criminal antecedent, chargesheet has already
been submitted and there is no chance of tampering with the
prosecution evidence.

Learned APP submits that the petitioner was also along
with other co-accused and in his presence the crime was



committed.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIII, Gaya in S. Tr. No. 153 of 2015 arising out of Fatehpur P.S. Case No. 10 of 2003, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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