

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22388 of 2017

Arising Out of PS.Case No. -410 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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Lalan Yadav, Son of Late Kamleshwari Yadav, @ Kamo Yadav, Resident
of Village- Auliabad, P.S.- Bihpur (Jhandapur), District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Anil Kumar

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

3 19-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihpur
(Jhandapur) P.S. Case No. 410 of 2016, registered under Section
302/34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that on 27.11.2016, Shiv Yadav,
father of the informant, was returning to Kaharpur on Jugar
vehicle after loading the fertilizers. In the way, Lalan Yadav,
Fantus Yadav, Rajesh Yadav and Kailu Yadav caught hold the
father of the informant and dragged him in the ditch and caused
injury through fire arm at his forehead and chest. On hearing the
sound of firing nearby villagers rushed there. Thereafter,
informant came to know about the said occurrence in the
evening at about 5 P.M. then informant along with his younger



brother Ranjeet Yadav, Rubi Devi, Pinki Devi etc. reached then saw the dead body of his father sustaining fire arm injury at his head and left side of chest. Further allegation is that before two days, petitioner Lalan came to his house and gave threatening to his sister-in-law Pinki and Rubi Devi that he would kidnap her son or murder her father-in-law (deceased).

Learned counsel for the petitioner submits that it would appear from the F.I.R. that informant is not the eye-witness of the occurrence and he has also not disclosed about source of information regarding murder of his father. In course of investigation, none witnesses have claimed to be an eye-witness of the occurrence. The petitioner is in custody since 29.11.2016.

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 ACJM-1, Naugachia in connection with Bihpur (Jhandapur) P.S. Case No. 410 of 2016.

(Rajendra Kumar Mishra, J)

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