

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31134 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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1. Uday Kumar @ Uday Rai, Son of Sri Dawarika Prasad, Resident of
Uttari Mandiri, Chakkan Tola, Police Station- Budha Colony, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Buddha Colony P.S. Case
No. 56 of 2017 instituted for the offence under Sections-302/34 of
the Indian Penal Code and 27 of the Arms Act.

It is alleged in the written report that the brother of the
informant was coming back after attending a marriage and near
Indradeo Jee Hotel, 4-5 miscreants having armed with pistols in
their hands, encircled his brother and has fired as a result of
which, he sustained injury. The brother of the informant later on
died. The informant has named this petitioner along with other six
accused persons.

The Case diary has been received in this case.

Learned APP and the counsel for opposite party No. 2



have referred paragraph-8 of the case diary and submitted that one witness namely, Gabbar @ Umesh Kumar at paragraph -8 has stated that he was accompanying the deceased and at that time 8-10 boys came and he heard the sound of firing. Later on, he learnt the name of this petitioner. As such, there is no any specific allegation of overt act against the petitioner either in the written report or in the case diary. In the postmortem report, the doctor has found four injuries on the person of the deceased whereas; the informant has named seven persons.

In such circumstances, prayer for bail is allowed. The petitioners named above are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Buddha Colony P.S. Case No. 56 of 2017 to the satisfaction of Smt. Reetu Kumari, learned Judicial Magistrate-Ist Class, Patna subject to condition that both the bailors should be close relative of the petitioner.

(Sanjay Priya, J)

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