

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56266 of 2017

Arising Out of PS.Case No. -287 Year- 2014
Thana -SULTANGANJ District- BHAGALPUR

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Gaurav Yadav, son of Ashok Yadav resident of Village- Katahara, P.S.- Sultanganj, District- Bhagalpur		Petitioner
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Versus

The State of Bihar		Opposite Party
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Appearance :

For the Petitioner	:	Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party	:	Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-12-2017 Heard counsel for the petitioner and APP for the State.

The petitioner seeks bail in a case registered for offence under sections 447, 341, 323, 307, 506/34 of the IPC to which section 302 IPC was added later on.

FIR alleges that the petitioner and co-accused Kedar Yadav misfired at the informant, thereafter co-accused Kedar Yadav fired at the informant's cousin causing fire arms injury on his head. The injured died in course of treatment.

Counsel for the petitioner submits that the fire opened by the petitioner did not hit the informant. Further, the injury report of the informant does not support the allegation levelled against the petitioner. He submits that the parties are agnates and land dispute is going on between them. An altercation had taken place between them before the instant offence. Prior to the instant case, petitioner has no antecedent and he is in custody since 26.8.2017.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as mentioned above, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Chief Judicial Magistrate, Bhagalpur in Sultangunj Police Station Case No. 287 of 2014 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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