

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.78 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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Sriram Yadav, Son of Late Banka Yadav, R/o Village- Shyampur Chaudbey
Tola, P.S.- Kuchaikote, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Advocate.

For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 04.08.2016
in connection with Kuchaikote P.S. Case No. 161 of 2016 for the
offences instituted under Sections 302/34 of the IPC and 27 of the
Arms Act.

The prosecution story, in brief, is that Manish Yadav, the
nephew of the informant, was assaulted with fists and Danda by
FIR named accused persons. In the meantime, co-accused Binod
Chaubey and Sugriv Yadav asked Indal Yadav to shoot. Upon
which, co-accused Indal Yadav fired twice with his gun as a result
of which, his nephew sustained injury and fell down. Thereafter,
they fled away. The injured was taken to the hospital where he



died. The reason behind the occurrence is stated to be land dispute between the parties.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.08.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He has falsely been implicated in the present case. No specific overt act has been alleged against him. Similarly situated other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 53852/2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kuchaikote P.S. Case No. 161/2016.

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(Sudhir Singh, J)

