

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26775 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -NAYA RAM NAGAR District- MUNGER

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Sikandar Yadav, son of Late Anup Yadav, Resident of Purwari Tola, Farda,
Post Farda, Police Station- Nayanranm Nagar (Safiasarai O.P.), District-
Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha

For the Informant : Mr. K.N. Sahay

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Naya
Ram Nagar P.S.Case No. 165 of 2016 registered for the offences
punishable under Sections 302, 307/34 of the Indian Penal Code
and 27 of the Arms Act.

Petitioner is not named in the FIR and later on his
name has been transpired in this case in the statement of injured as
one of the assailants.

It has been submitted on behalf of the petitioner that
though he has been named by the injured but no material has come
against the petitioner and there is enmity between the parties from
before and further submission is that petitioner is in custody for



more than six months.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that there was active participation of the petitioner in this case and earlier also there was case between the parties.

Having heard both sides and in view of the fact that there is active participation of the petitioner in the crime, though he is not an assailant, at this stage I am not inclined to grant bail to the petitioner.

However, petitioner may renew his prayer for bail in the court below after framing of charge in this case.

This application is dismissed with the above observation.

(Vinod Kumar Sinha, J)

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