

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39698 of 2017

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

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Randhir Yadav, son of Mirja Nand Rai, resident of Dujra Maszid Gali, P.S.
Budha Colony, District Patna. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

02 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Budha Colony P.S. Case
No. 56 of 2017 registered under Section 302/34 of the Indian
Penal Code.

As per the prosecution case, eleven accused persons
including the petitioner are said to have gunned down the elder
brother of the informant encircling him on the way to his house
from a marriage party.

It is submitted by learned counsel for the petitioner
that there is no specific allegation against the petitioner rather the
allegation is general and omnibus in nature. The informant is not
the eye witness of the occurrence. The companion of the
deceased, namely, Gabbar alias Umesh Kumar has not witnessed



the petitioner in the occurrence. In the postmortem the doctor has found four injuries but as there are 11 accused persons, said to have resorted firing on the deceased so the author of the said injury is not ascertainable. One similarly situated co-accused has been enlarged on bail by a co-ordinate Bench of this Court in Cr. Misc. No.31134 of 2017 vide order dated 28.07.2017. The petitioner has been languishing in custody since 10.03.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned Judicial Magistrate 1st Class, Patna in connection with Budha Colony P.S. Case No.56 of 2017.

(Prakash Chandra Jaiswal, J)

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