

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 53155 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Rakesh Yadav, S/o Sri Anirudh Yadav, Resident of village Kuntha, Police
Station Shambhuganj, District Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate

For the Opposite Party : Smt. Sahin Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-11-2017 Heard learned counsel for the parties.

The petitioner is in custody since 06.12.2016 in
connection with Shambhuganj P.S. Case No. 165 of 2016.

Allegation against the petitioner is that he caught the
deceased and co-accused Parsuram and Vikas fired causing death.
The informant is eye-witness of the occurrence.

Submission of the learned counsel for the petitioner is
that this Court had earlier rejected the prayer for bail vide order
dated 29.03.2017 passed in Cr. Misc. No. 8588 of 2017 with
observation that the petitioner may renew the prayer for bail
before the learned court below, if the trial is not concluded within
six months.

The trial has not been concluded and the court below has
not granted bail whereas similarly situated co-accused Pankaj



Yadav, Bikash Yadav and Anil Yadav had already granted bail by a Coordinate Bench of this Court vide orders dated 17.03.2017, 19.09.2017 and 21.06.2017 passed in Cr. Misc. Nos. 8779 of 2017, 40640 of 2017 and 17082 of 2017.

Considering the entire facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shambhuganj P.S. Case No. 165 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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