

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37 of 2017

Arising Out of PS.Case No. -236 Year- 2015 Thana -MANSI District- KHAGARIA

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Santosh Yadav, S/o Late Hishabi Yadav, resident of village - Tikarampur,
P.S. Muffasil, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 22-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 394 of the Indian Penal Code.

It is alleged that some three unknown miscreants
stopped the informant and fired two shots and also chased the
informant and the thieves shot fired hit in the hand of the
informant, who managed to reach his house at Khagaria and went
to hospital for treatment.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application with an
observation “**at this stage**”. In the light of said observation, the
present application for grant of bail has been preferred on behalf
of the petitioner.

A report was called for from the trial court
regarding stage of the case. It has been reported that within a



period of six months the trial is expected to be concluded.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.03.2016. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. He has not been put on T.I.P. to ascertain his involvement in the present case. There is no recovery of any incriminating article from the possession of the petitioner. The other co-accused has been granted bail vide Cr. Misc. No.3931 of 2017 by another co-ordinate Bench of this court.

On behalf of the State, it has been submitted that the name of the petitioner has come in the confessional statement of co-accused.

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 S.D.J.M., Khagaria in connection with Mansi (G.R. No. 2916 of 2015) P.S. Case No. 236 of 2015.

(Sudhir Singh, J)

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