

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7063 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -BARHARA District- BHOJPUR

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Rajesh Roy, son of Late Baijnath Roy @ Late Baijnath Thakur, resident of village - Gaura Ka Tola, Khawaspur, Police Station - Barhara in the district of Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 19-04-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Barhara (Khawaspur O.P.) P.S. Case No. 264 of 2016, registered under Sections 147, 148, 149, 341, 323, 324, 326, 307, 302 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that 22 persons named in the F.I.R. including the petitioner armed with weapons surrounded to Rakesh Kumar and Umesh Yadav, brother and nephew of the informant. At that time, Hira Lal Rai shot fire through Katta at the neck of Rakesh Kumar, who died at the spot. Thereafter, this petitioner caused firearm injury to Umesh Yadav.



Learned counsel for the petitioner submits that petitioner is not the assailant of the deceased, Rakesh Kumar, rather this petitioner is said to be caused injury to Umesh Yadav through firearm, but till submission of charge sheet, no injury report of Umesh Yadav has been obtained by the Investigating Officer. It is further submitted that petitioner has no criminal antecedent and is in custody since 05.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released 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 Chief Judicial Magistrate, Bhojpur, Ara, in connection with Barhara (Khawaspur O.P.) P.S. Case No. 264 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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