

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5147 of 2018

Arising Out of PS.Case No. -111 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Bikki Kumar, Son of Bano Yadav, Resident of Village - Tilakpur, P.S.-
Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 23-03-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 307, 302, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, the petitioner and co-accused Mukesh Kumar indiscriminately fired at Bablu Yadav as a result whereof Bablu Yadav died. The Doctor has found, single wound of entry on the person of the deceased, at the time of post mortem.

Submission is that the prosecution allegation is not consistent with the medical report. Moreover it is difficult to attribute as to which of the two accused had caused the said injury. Moreover, the petitioner is in custody since 22.05.2017. The investigation of the case is already complete and the petitioner is



ready to cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail.

Considering the entire facts, let the petitioner, above named, be released on bail **after framing of the charge or after completion of three months of custody from today whichever is earlier** on furnishing bail bond of Rs.20,000/- (Rupees 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 S. T. No. 867 of 2017 arising out of Sultanganj Police Station Case No. 111 of 2017, subject to the condition that the petitioner shall fully cooperate with the 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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