

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38828 of 2017**

Arising Out of PS.Case No. -25 Year- 1995 Thana -BAGHA District-  
WESTCHAMPARAN(BETTIAH)

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1. Radha Yadav Son of Late Indradeo Yadav, R/o Village- Bagahwatand,  
P.S.- Dhanha, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Sri Surendra Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

8      20-03-2018                      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 302, 307, 452, 379,  
34 of the Indian Penal Code and 27 of Arms Act.

According to FIR, the victim of murder  
disclosed to the informant that the petitioner and co-accused  
Dashrath Mishra had fired at him, as a result whereof, he  
died. The FIR would reveal that the informant saw that the  
petitioner alongwith his criminal associates came and  
started indiscriminate firing. Other side had also fired.

Submission is that the petitioner is in  
custody since 26.10.2013 and the report of the learned Trial  
Court would reveal that only charges have been framed up-



till-now. Petitioner is ready to cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail on the ground of seriousness of the allegation and the criminal antecedent of the petitioner.

Considering the period already undergone by the petitioner as undertrial prisoner, 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 Bagha Police Station Case No.25 of 1995 corresponding to S.T.No.88 of 2006, 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)**

Nitesh/-

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