

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29445 of 2018

Arising Out of PS.Case No. -587 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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Mithilesh Yadav @ Mithilesh Kumar Yadav, S/o Bhupendra Yadav @ Bhupan Yadav, Resident of Village- Shitalpatti, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner, who is in custody since 12.12.2017, seeks bail in connection with Sour Bazar P.S. Case No. 587/2017 registered for the offence punishable under section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

It has been submitted that the allegation of causing firearms injury is against one Vinay Yadav who on the order of Manoj Yadav shot fire on the victim resultantly the victim died on the spot. The informant although claims to be an eye-witness of the occurrence, but she has not alleged any overt act against this petitioner rather he was simply present at the place of occurrence. It has been further submitted that the petitioner has clean antecedent except one case (Sour Bazar P.S.Case No.595 of



2013) in which he is on bail.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 587/2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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