

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43229 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -MARHAURA District- SARAN

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Jagdish Yadav @ Jagdish Kumar Singh, Son of Ram Awatar Singh,
Resident of Village- Panapur, Police Station- Jagdishpur, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Birendra Kumar Mishra, Advocate Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. Rajballabh Singh, APP
For the Informant	:	Mr. Sunil Kumar, Advocate Mr. Ranjeet Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State. Learned

counsel for the informant is also present.

The petitioner is in custody since 28.05.2018 in
connection with Marhowrah P.S. Case No.364 of 2017
registered for the offence under Sections 302, 120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
though the petitioner is not named in the FIR and the main
allegation is against one Firoz Rai, who is said to have fired on
the deceased, the petitioner's name has surfaced subsequently
in the supervision note and, consequently, he is facing



prosecution. It is further submitted that the main accused of the present case, namely, Jitendra Kumar Prasad, has been granted bail in Cr. Misc. No.57567 of 2017, vide order dated 29.01.2018, and two other persons, namely, Shatrughan Singh and Kariman Kumar, have been granted bail in Cr. Misc. No.2357 of 2018, vide order dated 29.01.2018. It is further submitted that the court of Additional Sessions Judge-VIII, Saran at Chapra has also granted bail to one Munna Singh, vide order dated 20.04.2018. As such, the petitioner, whose name has surfaced subsequently, may also be granted the privilege of bail.

Considering the aforementioned facts and circumstances and that save and except one case against the petitioner, the petitioner is having a fair antecedent, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-13, Saran at Chapra, in connection with Marhowrah P.S. Case No.364 of 2017, subject to the following conditions:

(1) One of the bailors will be the brother of the petitioner.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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