

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50852 of 2018

Arising Out of PS.Case No. -58 Year- 2010 Thana -MAGADH UNIVERSITY District- GAYA

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1. Kishori Yadav S/o Late Rampati Yadav, R/o Vill.- Gulariyachak, P.S.-
Magadh Medical College Gaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under
Sections- 452, 449, 342, 307, 302, 120(B)/34 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case, in brief, is that brother of the informant
was shot dead by accused persons.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 30-06-2018 and the he has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The main allegation of
making fire is against co-accused namely Vijay Yadav @ Anil
Yadav who caused injury upon the deceased which led to his



death. The petitioner is not named in the FIR. In course of investigation, his named transpired in the confessional statement of co-accused. Except confessional statement of co-accused, there is no other substantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner has been named by co-accused in confessional statement.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IXth, Gaya in connection with Magadh University P.S. Case No. 58 of 2010.

(Sudhir Singh, J)

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