

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63608 of 2018

Arising Out of PS.Case No. -207 Year- 2018 Thana -KHAGARIA District- KHAGARIA

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1. Deepak Yadav @ Deepak Kumar Son of late Chandrachur Yadav R/o
Village- Barkhandi Tola, P.S. Khagaria (Muffasil), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018

The petitioner seeks regular bail in connection with Khagaria (Muffasil) P.S. Case No. 207 of 2018, registered for offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 302, 379/120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R is that accused persons surrounded the house of the informant and on the order of co-accused Atmaram Yadav, another co-accused Ashok Yadav fired on the informant, which hit in the abdomen of the Bhabho (sister in law) of the informant, causing her death and there is also allegation of indiscriminate firing against the other accused person including the petitioner.

It has been submitted on behalf of the petitioner that



large number of persons have been made accused in this case and no specific allegation has been attributed to the petitioner. It has also been submitted that the allegation of firing on the *Bhabho* (Sister in law) of the informant is against one Ashok Yadav and not against the petitioner. Further submission is that petitioner has no criminal antecedent and he has been in judicial custody since 21.07.2018 and other co-accused of this case having similar allegation has already been enlarged on bail by a coordinate Bench of this Court vide order dated 08.10.2018 passed in Cr. Misc. No. 59756 of 2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 207 of 2018, 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 and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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