

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63951 of 2018

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Baleshwar Yadav S/o Ram Kishun Yadav Resident of Village- Shumbha,
P.S. Alauli, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in Alauli P.S. Case No. 116/2016
corresponding to Sessions Trial No. 239/2018, registered for the
offences punishable under Section 302 and 120(B) of the Indian
Penal Code and section 27 of the Arms Act.

Allegation against the petitioner and other accused
persons is committing murder of brother-in-law (Bahnoi) of the
informant by fire-arm.

It has been submitted that petitioner has falsely been
implicated in this case due to enmity. There is no incriminating
material found against the petitioner. Deceased was a man of
dubious character and he might have been killed by anti-social
element. Petitioner is a poor man who is working in Punjab for



earning his livelihood.

Petitioner has no criminal antecedent. He is in custody since 24.04.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of District & Sessions Judge, Khagaria in connection with Alauli P.S. Case No. 116/2016 corresponding to Sessions Trial No. 239/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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