

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66983 of 2018

Arising Out of PS. Case No.-89 Year-2013 Thana- BASANHI District- Saharsa

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Laltu Yadav Son of Bindeshwari Yadav @ Bino Yadav Resident of Village-
Suthaniya Tola, Police Station -Basnahi, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Basnahi P.S. Case No. 89 of 2013** registered for the offence punishable under Sections 147, 148, 149, 341, 302, 307, 447, 448 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Informant is the mother of the deceased who has alleged in her FIR that on the date of occurrence while they were in the house after taking meal 10 FIR named accused entered her house and three of them started indiscriminate firing on her son Sito Yadav as a result of which her son died due to fire arm injury and her Grandaughter and Daughter-in-Law also sustained injuries.

It has been submitted on behalf of the petitioner that there is no specific allegation of any type of assault against him.



It has been further submitted that although he has been named in the FIR but nothing has been alleged against him. Petitioner has got no criminal antecedent and is in custody since 27.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1, Saharsa**, in connection with **Basnahi P.S. Case No. 89 of 2013**, with following 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 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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