

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 17487 of 2018

Arising Out of PS.Case No. -242 Year- 2017 Thana -PHULPARAS District- MADHUBANI

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Rajiv Prasad Sah @ Rajiv Kumar Sah @ Rajiv Prasad Saha S/o Shashi Nath Gupta @ Shashi Kant Prasad Sah @ Shashi Nath Prasad Saha, R/o Village-Belha, P.S.- Phulparas, Distt.- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Hriday Kant Mishra, Advocate

For the S t a t e : Mr Surendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 03-05-2018

Heard learned counsel for the petitioner and the APP
for the State.

Petitioner seeks bail in a case registered under
Sections 448, 147, 148, 149, 307, 302, 120B of Indian Penal Code
and Sections 27, 25, 26, 35 of Arms Act.

Other than general and omnibus allegations made by
the informant, it is submitted that there is nothing to connect the
petitioner with the alleged occurrence. Specific allegation of
causing the fatal firearm injury is against co-accused Pramod
Yadav. The petitioner has one case pending against him which
was lodged in the year, 2011 in which he is on bail. In the instant
case, he is in custody since 10.10.2017.



Considering the submissions aforesaid, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Jhanjharpur (Madhubani) in Phulparas Police Station Case No 242 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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