IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23308 of 2018

Arising Out of PS.Case No. -111 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Mukesh Kumar, Son of Bano Yadav, Resident of Village-Tilakpur, P.S. Sultanganj, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-04-2018 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of regular bail for offences under Sections 341, 323, 307, 302, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

According to F.I.R., the petitioner and co-accused Bikki Kumar indiscriminately fired at Bablu Yadav as a result whereof Bablu Yadav died. The Doctor has found single would of entry on the person of the deceased, at the time of post mortem.

Submission is that the prosecution allegation is not consistent with the medical report. Moreover, it is difficult to attribute as to which of the two accused had caused the said injury. Moreover, the petitioner is in custody since 22.05.2017. The

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investigation of the case is already complete and the petitioner is ready to cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail.

Considering the entire facts, let the petitioner, above named, be released on bail after framing of the charge or after completion of three months of custody from today whichever is earlier on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in S.Tr. No. 867 of 2017, arising out of Sultanganj P.S. Case No. 111 of 2017, subject to the condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J.)

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