

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72990 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- SALIMPUR District- Patna

Sidhnath Yadav, S/o Lalit Vijay Singh @ Lalit Vijay Yadav, R/o Village-Salimpur, P.S.- Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate.

Counsel for the informant : Mr. Sanjay Kumar, Advocate.

Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 20-12-2018 Supplementary affidavit has been filed on behalf of the petitioner stating that one case is pending against the petitioner. Let it be kept on the record.

Heard learned counsel for the petitioner, counsel for the informant and the State.

The petitioner seeks bail in Salimpur P.S. Case No. 138 of 2018 instituted for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on the order of co-accused Mantu Singh, Vijay Shankar Yadav fired on nephew of the informant namely Nandesh Kumar @ Bajrangi. on account of which, he died on the spot. It is further alleged in the written report that petitioner has also on suspicion that he has not died, made firing on him.



Counsel for the petitioner submits that in the post mortem report the Doctor has found only one wound of entry and one wound of exit on the person of deceased caused by firearm. Counsel for the petitioner further submits that co-accused Mantu Singh has already been granted bail by coordinate Bench of this Court vide order dated 6.11.2018 passed in Cr. Misc. 66893 of 2018

Case diary has been received.

Petitioner is in custody since 4.6.2018 having no criminal antecedent.

Keeping in view that there is no specific allegation against petitioner, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna, in connection with Salimpur P.S. Case No. 138 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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