

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47768 of 2017

Arising Out of PS.Case No. -125 Year- 2015 Thana -SALKHUA District- SAHARSA

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1. Md. Shamim @ Md. Shamim Mian, Son of Gaffar Mian, Resident of
Village- Matha, P.S. Salkhua, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Salkhua
P.S. Case No. 125/2015 dated 11.06.2015 instituted for the
offences under Sections 302, 201/34 of the Indian Penal Code.

The F.I.R. has been registered on the self-statement of
the Officer In-charge of the concerned police station. On learning
that a veteran criminal, viz. Lil Sagar Yadav and Raushan Singh
(deceased) are proceeding towards the place of occurrence, the
police party also went to the aforesaid place. A crowd had
collected at that place and it was found that Raushan singh has
been murdered. The police party came to the conclusion that
because of internecine warfare between the two groups, the
murder has been committed.

The petitioner is not named in the F.I.R. and his name



was taken by one Manoj Yadav, whose statement has been recorded in paragraph 65 of the case diary, in which it has been stated that the petitioner was seen with Lil Sagar Yadav, a day prior to the occurrence.

Learned counsel for the petitioner has submitted that apart from the aforesaid statement of Manoj Yadav, there is no other material to suggest that the petitioner is one of the gang members of Lil Sagar Yadav or that he has participated in the occurrence, in which another criminal, Raushan Singh was killed. Earlier, the petitioner has been made accused in three cases and in all such cases he is on bail.

The petitioner is said to be in custody since 09.02.2017.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Saharsa in connection with Salkhua P.S. Case No. 125/2015.

(Ashutosh Kumar, J.)

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