

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53571 of 2018

Arising Out of PS. Case No.-98 Year-2008 Thana- KAKO District- Jehanabad

Sanjay Yadav, Son of Late Shyam Bahadur Yadav, Resident of Village Saidabad, P.S. Pali, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-10-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 342 of 2009/ 365 of 2012 arising out of Kako P.S. Case No. 98 of 2008 registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code, under Section 27 of the Arms Act and under Section 17 of CLA Act.

Informant who is the brother of the deceased has alleged that when his brother Lala Yadav @ Naresh Yadav (deceased) along with Lalu Yadav (deceased) were coming to Jehanabad on Motorcycle, petitioner along with other co-accused person came out from bush and fired upon the deceased and thereafter accused persons cut the neck by Pasuli



of Lalu Yadav and also fired upon him.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. Deceased were veterans criminals and were killed in Gangwar and petitioner was falsely implicated due to enmity. It has been further submitted that similarly placed co-accused persons have been granted bail which is contained in Annexure-2 to Annexure-6 of this petition. He has no criminal antecedent.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Jehanabad in connection with Sessions Trial No. 342 of 2009/ 365 of 2012 arising out of Kako P.S. Case No. 98 of 2008.

(S. Kumar, J)

Rajiv/Manoj-

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