

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50647 of 2018

Arising Out of PS.Case No. -538 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Balmiki Yadav son of Jangal Yadav resident of village - Kaithma, Police
Station - Muffasil, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan
For the State : Mr. Binod Kumar APP
For the informant : Mr. Shubhesh Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner, Opposite party No.
2 and learned APP for the State.

The petitioner seeks bail in a case registered under
Sections-302, 147, 148 and 149 of the Indian Penal Code and 27
of the Arms Act.

The prosecution case, in brief, is that on the order of the
petitioner, other accused persons fired at the father of the
informant, who later on, succumbed to the injuries.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 13-04-2018 and there is no allegation
of tampering of witnesses alleged against the petitioner. As per the
FIR, co-accused Pandav and Sheo Kumar Yadav are alleged to



have fired upon the deceased, causing firearm injury, which led to death of the deceased. The petitioner is alleged to have assaulted the deceased with iron rod. The postmortem report is Annexure-2 to the present application. No injury, caused by hard blunt substance, has been indicated in the postmortem report. All the injuries are said to have been caused by fire-arms. The cause of death is said to be the injury caused by fire-arms. The postmortem report does not corroborate the allegation made in the FIR.

On behalf of the State and O.P. No. 2, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 538 of 2017.

The petitioner will cooperate during trial of the case and if, the petitioner does not cooperate during trial, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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