

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21689 of 2018

Arising Out of PS.Case No. -409 Year- 2017 Thana -MASAURHI District- PATNA

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UMESH KUMAR @ MOCHHU @ UMESH PRASAD S/o Ramanand
Yadav, R/o Village- Malkana, P.S.- Masaurhi, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad with
Mr. Om Prakash Kumar, Advocates

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Masaurhi P.S. Case No. 409 of 2017 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner and other accused persons is that they have surrounded the son of the informant and petitioner was driving the tractor and thereafter on the order of one Lata Prasad, accused Manoj Kumar fired at the deceased and he died at the spot.

Submission of learned counsel for the petitioner is that FIR itself shows that petitioner was only driving the tractor and he is not assailant or order-giver.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Masaurhi, Patna, in connection with Masaurhi P.S. Case No. 409 of 2017, subject to the conditions under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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