

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4142 of 2019

Arising Out of PS. Case No.-474 Year-2016 Thana- AMARPUR District- Banka

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Santu Yadav aged about 35 years (male), Son of Late Bhairo Yadav, Resident
of village Logain, Police Station Fullidumar, District Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
11.09.2018 in a case registered for the offences punishable
under Sections 147, 148, 149, 302 and 307 of the Indian Penal
Code and Section 27 of the Arms Act and Sections 3 and 4 of
Explosives Substances Act.

The prosecution case as per the written report of
Sanjiv Panjiara submitted to SHO, Fullidumar Police Station is
to the effect that on 12.11.2016, in the midnight, the informant
was sleeping in his house along with his cousin brother and



family members when at about 12.20 A.M., the informant woke up on the gun shot firing and saw that 70-80 people has surrounded his house and they are throwing explosives at his house. It is further alleged that the informant saw co-accused Jagdambi Panjiara firing with a rifle on his cousin brother, Saryug Panjiara causing his death. It is further alleged that co-accused Julmi Panjiara resorted fire on him with a rifle which hit him on two places in the right hand and consequently he fell down.

It is submitted by learned counsel for the petitioner that the specific accusation of firing is against co-accused Julmi Panjiara and Jagdambi Panjiara and it is further submitted that Julmi Panjiara has been granted bail by a Co-ordinate Bench of this Court vide order dated 11.10.2018 passed in Cr. Misc. No. 61943 of 2018. A statement has been made in paragraph no. 3 of the petition that the petitioner is involved in one other criminal case.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the specific accusation of firing is against co-accused Julmi Panjiara and Jagdambi Panjiara and informant specifically alleged that the firearm



injury was caused by Julmi Panjiara and Jagdambi Panjiara, let the above named petitioner 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 **CJM, Banka** in connection with **Amarpur (Fullidumar) P.S. Case No. 474 of 2016.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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