

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8114 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- KOILWAR District- Bhojpur

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Doman Yadav, S/o Visheshwar Yadav, R/o Mohalla- Nehru Nagar, Ara,
P.S-Ara Town, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP100

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, four persons including the petitioner allegedly fired at Kundan the son of the informant. Kundan was coming along with his friend Chiku on a motorcycle. The firing of the accused killed Kundan at the spot and Chiku was hospitalized in injured condition. The *fardbeyan* lodged by the injured shows that he had not identified any of the assailant. The informant had not witnessed the occurrence,



rather, in further statement informant stated that due to dispute for property, the co-sharers have conspired and hired the criminal for commission of the crime aforesaid.

Learned counsel for the petitioner submits in the case diary it has come that the deceased was a man of criminal antecedents and his murder might have been committed due to his criminal activity by unknown person and just to pressurize, false case has been lodged. Petitioner is in custody since 13.09.2018.

Learned counsel for the informant opposed the prayer for bail.

Considering the aforesaid facts, let the petitioner, above named, be released on bail **after framing of charges** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Koilwar Police Station Case No. 307 of 2018, with the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below having immovable property.

(b) The petitioner shall fully cooperate with the



investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Rajan/Banti

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