

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8500 of 2019

Arising Out of PS. Case No.-242 Year-2017 Thana- PHULPARAS District- Madhubani

RAM TAHAL YADAV Son of Nageshwar Yadav R/o village- Karhari, P.S-
Laukahi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case registered under Sections 448, 147, 148, 149, 302, 307, 120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that the accused persons variously armed entered the Angan of the informant and fired upon the nephew of the informant, as a result of which, informant's nephew sustained fire arms injury and died in the way proceeding to his treatment.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 15-09-2018. Charge sheet has already been submitted. The petitioner is not



named in the FIR. As per the FIR, Pramod Yadav is said to be assailant who fired upon the deceased. The name of the petitioner has come in course of investigation. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The other co-accused with similar allegation has been granted bail by a coordinate bench of this court vide order dated 03-05-2018 passed in Cr. Misc. No. 17487 of 2018.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to 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 Additional Sessions Judge, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 242 of 2017.

(Sudhir Singh, J)

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