

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38166 of 2019**

Arising Out of PS. Case No.-186 Year-2018 Thana- PARBATTa District- Khagaria

DEEPAK YADAV, aged about 25 years (Male), S/o Naresh Yadav, R/o village- Arriya, P.S.- Parbatta, (Maraiya O.P.), District- Khagaria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raja Surendra Mohan, Advocate.
For the Opposite Party : Mr.Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 08.03.2019 in a case for the offence registered under Sections 147, 148, 149, 302, 307, 447 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 25.05.2018 at 10.30 hours, the informant alongwith his daughter Komal Kumari was sitting at the door of his house and his elder brother Kinnu Yadav and Ubodh Yadav were also sitting on the Machan. At the time, suddenly accused persons including petitioner and other were chasing Abhishek Yadav by making firing and in that course, firing by co-accused Rahul Yadav hit at the left side of head of Komal Kumari who fell down and blood started oozing out. It is further alleged that the injured daughter of the informant was brought to Sadar Hospital, Khagaria and referred



to Begusaqrai for better treatment who died at Glokal Hospital during course of treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. No injury is attributed against the petitioner. The main allegation is against co-accused Rahul Yadav who is alleged to have fired upon the deceased and the deceased succumbed to the said injury.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the 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 the learned C.J.M. Khagaria, in connection with Parbatta (Maraiya O.P.) P.S. Case No. 186 of 2018, corresponding to G.R.No. 1392 of 2018.

(Sudhir Singh, J)

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