

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38757 of 2019

Arising Out of PS. Case No.-260 Year-2018 Thana- TATARPUR District- Bhagalpur

KAILASH YADAV Son of Late Laxman Yadav Resident of Village - Madhu
Chowk, Near Durga Mandir Barari, P.S.- Barari, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 386, 307 and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons, variously armed, extorted money from the informant and on denial, opened fire at the informant due to which he received injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.2.2019. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case.



The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of his self confession. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. Except for this, there is no other substantive evidence to suggest his implication in the present case.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned A.C.J.M.-VII, Bhagalpur in connection with Tatarpur P.S. Case No. 260 of 2018.

(Sudhir Singh, J)

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