

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52186 of 2019

Arising Out of PS. Case No.-166 Year-2008 Thana- MADANPUR District- Aurangabad

ASHUTOSH YADAV @ ASHUTOSH JEE @ JUGAL JEE S/O Shivnath
Yadav R/O vill Gamhariya (Bharaundha), PS Gurua District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2019 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 302, 307, 353, 332, 333, 34 of the Indian Penal Code and 25(1-b)a, 26, 27 of the Arms Act and 17 of C.L.A. Act.

The prosecution case in short is that when the informant along with other police personnel reached the place of occurrence, the accused persons, variously armed started firing on the police due to which one guard received injury and died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.8.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. Altogether 140



persons are named in the F.I.R. There was a diary recovered from the place of occurrence which disclosed the names of 140 persons including the petitioner. Except for this, there is no other substantive evidence to suggest his participation in the present case. Other co-accused has been granted bail vide order dated 18.1.2019 passed in Cr. Misc. No. 7540 of 2019.

On behalf of the State, it is submitted that the petitioner is 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 1st Additional Sessions Judge, Aurangabad in connection with S.T. No. 11/2019 arising out of Madanpur P.S. Case No. 166/2008.

Pankaj/-

(Sudhir Singh, J)

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