

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31980 of 2020

Arising Out of PS. Case No.-221 Year-2019 Thana- PATORI District- Samastipur

Yadubansh Ray @ Yaduvansh Kumar @ Benga, Son of Raj Kumar Ray
Resident of Village - Rupauli, Chakasima, Police Station - Shahpur Patori,
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad- Advocate Mr. Sadhna Suman Shekhar- Advocate Mr. Harshvardhan- Advocate
For the Opposite Party/s :		Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 04-12-2020 The office has pointed out several defects to which

learned counsel for the petitioner assures that he shall remove

the defects within four weeks from the date when Court starts

physical function.

Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor appearing for the
State through video conferencing.

Petitioner is in custody since 11.11.2019 and seeks
bail in connection with Shahpur Patori P. S. Case No.221 of
2019 registered for the offences punishable under Sections 302/
34 of the I.P.C. and later on, Section 27 of the Arms Act has
been added.



Petitioner is named in the first information report with allegation that he along with two others went at the door of informant and co-accused Rupesh Kumar shot fire on the informant's husband as a result of which, informant's husband died then and there. Furthermore, it is alleged that petitioner and co-accused Noor Hussan @ Bablu also opened fire, but lucky their fire did not hit to any person.

Submission on behalf of the petitioner is that petitioner neither co-villager of informant nor the co-accused and, as a matter of fact, the petitioner has been implicated in this case on account of land dispute.

Considering the aforesaid facts and circumstances of the case as well as taking note of this fact that petitioner is not the assailant and investigation against him has already been completed and, furthermore, there is nothing on the record to show that release of the petitioner on bail shall hamper the trial, let the petitioner, above named, be released on bail provisionally till four weeks from the date when the Court starts physical function, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Samastipur in connection with Shahpur Patori P. S. Case No.221 of 2019.



However, it is made clear that if, petitioner removes the defects within the above stated period, the provisional bail shall be deemed to be confirmed.

(Hemant Kumar Srivastava, J)

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