

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84658 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- NAUHATTA District- Saharsa

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KRISHNA KUMAR YADAV @ KRISHAN KUMAR YADAV Son of Late
Bishwanath Yadav Resident of Village - Narayanpur, P.S.- Nauhatta (Darhar
O.P.), District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for bail has been filed by the
petitioner, who is in custody in connection with Nauhatta P.S.
Case No.74 of 2019, registered for the offence punishable under
sections 147, 148, 149, 341, 323, 307, 354A, 354B, 379, 447,
448, 504 and 506 of the Indian Penal Code and section 27 of the
Arms Act.

As per allegation in the F.I.R., it is stated that the six
named accused persons including the petitioner herein variously
armed threatened the informant to withdraw the earlier case
otherwise her family would be killed. It is further stated that
Ram Kumar Yadav armed with firearm shot the husband of the
informant as a result of which he fell down injured while



Kailash Yadav pulled her hair and misbehaved with her. It is further stated that all of them took away goods including jewellery and cash worth Rs.1.25 lacs.

It is submitted by learned counsel for the petitioner that from reading of the F.I.R., it would be transpire that the main allegation is against Ram Kumar Yadav and Kailash Yadav, while the allegations against others are general and omnibus in nature. The petitioner has been falsely implicated in this case. He is in custody since 28.10.2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the main allegation as per the F.I.R. is against Ram Kumar Yadav and Kailash Yadav, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be released on bail in connection with Nauhatta P.S. Case No.74 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa.

(Partha Sarthy, J.)

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