

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12501 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- BANKA District- Banka

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UMESH YADAV Son of Late Mokdam Yadav Resident of Village-
Simrakola, P.S.- Banka, Distt- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Ram Sevak Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed this application for grant of
regular bail in connection with Banka P.S. Case no.383 of 2020
registered under sections 394 and 302 of the Indian Penal Code
and section 27 of the Arms Act.

As per allegation in the FIR, a dacoity was committed
in the house of the informant and in the firing that took place,
also led to death of Sajan Kumar Sah in the hospital.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown. Referring to the
contents of the petition as also the order of the learned court



below wherein the contents of the case diary has been dealt with in detail, it is submitted that the name of the petitioner transpired in the confessional statement of co-accused Narottam Chaudhary made before police. No incriminating article has been recovered from the person or possession of the petitioner. The petitioner has not been put on T.I. parade, is in custody since 19.8.2020 and chargesheet has been submitted in the case. The aforesaid Narottam Chaudhary has been enlarged on bail vide order dated 17.3.2021 passed in Cr. Misc. No. 31917 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Banka P.S. Case No.383 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/successor Court, Banka.

(Partha Sarthy, J)

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