

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34245 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- SISWAN District- Siwan

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Amit Yadav, Son of Hare Ram Yadav, Resident of village- Harnathpur, P.S.-
Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.

For the Opposite Party/s : Mr.Prashant Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-02-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Perusal of the F.I.R. would reveal that the informant is not an eye witness of the occurrence, however he alleges that six persons named in the F.I.R. including the petitioner allegedly fired at his brother Surendra Singh and Surendra Singh died thereafter.

The doctor has found two fire arm injuries on the person of the deceased.

Learned counsel for the informant submits that the petitioner has got criminal antecedents and some other witnesses have also supported the allegation against the petitioner.



Considering the fact that there is no eye witness of the occurrence, petitioner is in custody since 29.06.2020 and criminal cases against the petitioner are of trivial nature as well as the fact that there is no reason for further detention of the petitioner as under trial prisoner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Siswan P.S. Case No. 56 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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