

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69536 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- BUXAR District- Buxar

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RAKESH KUMAR YADAV @ RAKESH YADAV @ BAUA S/o Phagu
Yadav @ Fagu Yadav @ Indradeo Singh R/o village- Nai Bazar Mathiya Mor,
P.S.- Buxar (T), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sarvadeo Singh, Adv. Mr. Rajeev Ranjan, Adv.
For the State	:	Mr. Aditya Narayan Singh.1, Adv.
For the Informant	:	Mr. Sunil Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

11 02-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R., the eleven named accused persons including the petitioner herein resorted to indiscriminate firing killing the son of the informant.

It is submitted by learned counsel for the petitioner that the allegations are general and omnibus in nature. The petitioner has been falsely implicated in the case. More than two



months after the occurrence, one of the witnesses named in the F.I.R. made specific allegations of firing against the petitioner and one Anand Rai. The said Anand Rai has been enlarged on bail vide order dated 16.5.2019 (Annexure-2). The petitioner is in custody since 5.3.2019.

The application for bail is opposed by learned A.P.P. for the State and the learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner is accused in three other cases. The application for bail of another accused Suraj Kushwaha has been rejected by this Court. There is direct allegation against the petitioner.

Having heard learned counsel for the parties and taking into consideration the period in custody together with the grant of bail to co-accused Anand Rai, the Court directs the petitioner to be enlarged on bail in connection with Buxar (Town) P.S. Case no.64 of 2019 (Sessions Trial No.150 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 the learned Additional Sessions Judge I, Buxar.

(Partha Sarthy, J)

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