

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53910 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- SONBERSA District- Saharsa

Mika Yadav @ Mikka Yadav @ Video, Male aged about 25 years, Son of Janardan Yadav, Resident of Village- Shahpur, P.S- Sonbarsa Raj District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-04-2022 Heard learned counsel for the parties.

The petitioner is in jail since 16th May, 2021 in connection with Sonbarsa Raj P.S. Case No. 63 of 2021 lodged on 27.04.2021 under Sections 307/34 of the Indian Penal Code, (Section 302 of the IPC also added lateron) as well as Section 27 of the Arms Act.

As per the prosecution story, the informant Kamlesh Yadav was setting lights at a place where marriage ceremony was taking place. One Diwakar Kumar and this petitioner were dancing with revolver in their respective hands. The further allegation is that Diwakar Kumar open fire which hit the informant and he was injured. Unfortunately, after lodging of the FIR, the informant succumbed to the said injury.



Learned counsel for the petitioner submits that the only allegation against him is that he was dancing with revolver but had not opened fire rather it was clearly alleged in the FIR that the accused Diwakar Kumar open fired which hit the informant as a result of which he was injured and subsequently died. He further submits that he is in jail since 16th May, 2021 and as such he deserve the privilege of bail.

Considering the aforesaid facts and circumstances, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P.S. Case No. 63 of 2021.

(Rajiv Roy, J)

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