

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23427 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -KASIMBAZAR District- MUNGER

Jai Kishore Yadav, Son of Late Shiv Charan Yadav, resident of village -
Sandalpur, Police Station - Kashim Bazar, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh (App)

**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 26-08-2015

Heard learned counsel for the petitioner and the State.

The petitioner is an accused in a case under Sections
448, 302/34 of the Indian Penal Code.

The allegation is that at the instigation of petitioner,
Chandan Yadav and Nirbhik Yadv fired killing the son of the
informant Prashan Kumar.

The informant has opposed the prayer for bail of the
petitioner on the ground that the petitioner is involved in a large
number of cases.

The petitioner submits that in fact the informant is
also involved in more than dozen cases. He submits that only five
cases are pending against the petitioner and the lists of cases have
been mentioned in paragraph 3 of the petition. He submits that
Kotwali / Kashim Bazar P.S. case no. 585 of 1994 was registered

under Section 307 and other allied Section of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected on 04.02.2015 with liberty to renew his prayer for bail after three months.

This application is disposed of with the following directions:

The Court, who is in seisin of the case (Kashim Bazar P.S. case no. 47 of 2014) would verify whether only five cases as mentioned in paragraph 3 of the petition is pending against the petitioner having been registered prior to this occurrence. The other cases (complaint case) will not take into account, in which summons have not been served upon the petitioner.

If the stand of the petitioner is correct, then in such circumstances, the Court (Additional Sessions Judge-II, Munger) or who is in seisin of the case would release the petitioner on bail in connection with Kazhim Bazar P.S. case no. 47 of 2014 on its own satisfaction.

(Samarendra Pratap Singh, J.)

Uday/-

U		T	
---	--	---	--