

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32718 of 2015

Arising Out of PS.Case No. -105 Year- 2013 Thana -BUNIADGANJ District- GAYA

1. Shiv Jatan Yadav S/o Late Kishori Yadav Village Mahuar Kala, Police Station Buniyadganj, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Nityanand (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner as well as learned A.P.P.

The petitioner seeks bail in a case registered for the offences punishable under sections 147, 149, 341, 323, 307, 379, 504, 427, 302 of the Indian Penal Code.

Allegedly the petitioner and other first information report named accused persons assaulted the informant by means of lathi causing injury on his person and when the father of the informant came to his rescue the accused persons assaulted him which ultimately caused his death. They have also assaulted the family members when they have come to rescue the father of the informant and some personal belongings of the informant are said to have taken away by the petitioner and others.

Submission is of false implication. Though the petitioner is named in the first information report but there is general and omnibus allegation of taking part in the assault leading to injury on the person of the

informant and others and the death of the father of the informant. The petitioner is in custody since 06.05.2015 having no criminal antecedent. Other similarly situated co-accused Ram Jatan Yadav has been granted bail vide order dated 26.06.2014 passed in Cri. Misc. No. 19385 of 2014 and Binod Yadav has been allowed bail vide Cri. Misc. No. 17131 of 2014 by order dated 23.09.2014 by other coordinate Bench of this Court which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of C.J.M, Gaya in Buniyadganj P.S. Case No. 105 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

M.Rahman/-

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