

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34931 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -JADOPUR District- GOPALGANJ

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Bikarama Yadav Son of Late Moti Yadav, Resident of Village -
Bagaha,P.S. - yadopur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

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

For the Informant : Mr. Satyendra Rai

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 19-08-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant.

The petitioner is in custody since 17.08.2014 in connection
with a case registered for the offence punishable under Sections
147,148,149,302,307,341,323,504 and 506 of the Indian Penal
Code.

Learned counsel for the petitioner submits that earlier the
bail application of the petitioner was rejected on the premise that
the petitioner had given the order leading to the act of *Mar-pit*
which finally resulted into the death of the deceased Raja Yadav,
father of the informant.

Learned counsel for the informant submits that there is no
further material in the bail application to re-consider the case of

the petitioner. However, since the diary was called for and which has since been received, it appears that at various places some of the witnesses have supported that the petitioner was mere a by-stander whereas at other places it is submitted that he came after the occurrence.

Considering the materials which has surfaced in the case diary and which was not earlier considered while rejecting the bail application, let the petitioner Bikarama Yadav, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Yadopur P.S. Case No. 62 of 2014.

It is however, made clear that since the trial is already in progress, the petitioner shall co-operate and shall not absent himself in trial for two dates consecutively. If it so happenes, then it will be open to the informant to move trial Court for seeking appropriate direction ensuring presence of the petitioner.

(Anjana Mishra, J)

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