

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46603 of 2015

Arising Out of PS.Case No. -215 Year- 2015 Thana -BAGHA

District- WESTCHAMPARAN(BETTIAH)

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1. Jitendra Yadav S/o Late Budhai Yadav,

2. Mohan Yadav, S/o Banarsi Yadav,

3. Sunil Yadav, Son of Shobardhan Yadav.

All resident of village - Sukhban, P.S.- Bagaha (Pathkhauli),

District- West Champaran (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Ranjan, Adv.

For the State : Dr. Ajit Kumar, (A.P.P.)

For the Informant : Mr. Aditya Nath Jha, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioners,
learned counsel for the informant and learned Assistant
Public Prosecutor for the State.

This application for grant of regular bail arises
out of Bagaha (Pathkauli) P.S. Case No.215 of 2015,
disclosing offences under Sections 147, 148, 149, 341,

323, 307, 379, 506 and 302 of the Indian Penal Code.

Having considered the submission made on behalf of the petitioners that even as per the First Information Report, there is no allegation of any assault, caused by these petitioners on the deceased, and the fact that the petitioners admittedly came after the fatal blow upon the informant's father was given by other co-accused, namely, Somi Yadav, I am inclined to grant the petitioners privilege of regular bail.

Learned counsel, appearing on behalf of the informant, though, has opposed the prayer for bail and has contended that there is allegation against these petitioners of assaulting the deceased in the First Information Report.

However, on the basis of the First Information Report, it cannot be said that these petitioners had any intention to kill the deceased, this application is allowed. The petitioners, abovenamed, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Bagaha, West Champaran**, in connection with **Bagaha (Pathkauli) P.S. Case No.215 of 2015**.

This is subject to the condition that the petitioners shall present themselves before the

police/Court, as the case may be, as and when required, and in the event of failure on their part to appear before the Court, on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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