

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47523 of 2015

Arising Out of PS.Case No. -46 Year- 2013 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

Vishal Yadav, son of Rameshwar Yadav, Resident of village- Sounaha,
P.S.- Palanwa, District- East Champaran at Motihari

..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 02-11-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in Palanwa PS Case No. 46 of 2013 for the alleged offences punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code to which Section 302 IPC was added later on.

The petitioner is in custody since 27.6.2015.

Learned counsel for the petitioner submits that the police after investigation have already submitted charge-sheet and no purpose would be served if the petitioner is allowed to remain in jail further. He submits referring to the First Information Report that allegation, omnibus in nature against the petitioner and some other accused persons is of causing injuries with *lathi*. He submits that on a bare perusal of the FIR, it would appear that there was no

intention to kill the deceased. He further submits that some of the similarly situated co-accused persons have been granted bail by this Court by orders, copies of which have brought on record in Annexure-2 series.

Considering the submission as above, this application is allowed.

Let the petitioner above named, 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 Shri N K Priyadarshi, Judicial Magistrate 1st Class, Raxaul at Motihari, East Champaran in connection with Palanwa PS Case No. 46 of 2013.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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