

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50039 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -DHARHARA District- MUNGER

1. Pago Yadav Son of Jogi Yadav, Resident of Village - Laraiya, Tar,
Police Station - Dharahara, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52594 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -DHARHARA District- MUNGER

1. Bhado Yadav Son of Shri Madani Yadav R/o Village Laraiya Tanr, P.S.
Dharhara (Lariaya Tanr O.P.), District Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.50039 of 2015)

For the Petitioner/s : Mr. Prem Chand Yadav

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

(In Cr.Misc. No.52594 of 2015)

For the Petitioner/s : Mr. Prem Chand Yadav

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

2 14-12-2015 Both the Criminal Miscellaneous applications are of
the same occurrence and, as such, have been heard together and
are being disposed of by this common order.

Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Dharahara P.S. Case No. 76 of 2015 registered for the offences punishable under Sections 147, 149, 323, 324, 307 and 504 of the Indian Penal Code.

Allegedly the petitioners Pago Yadav and Bhado Yadav assaulted the informant on his head with iron khanti and other co-accused assaulted others with knife and rod.

Submission is of false implication and that there is case and counter case. There was free fight between the parties, petitioner Pago Yadav is in custody since 24.07.2015 and petitioner Bhado Yadav is in custody since 09.09.2015. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioners have assaulted on the head of the informant.

In the facts and circumstances stated above, considering that there is no allegation of repeating the blow, chargesheet has already been submitted and, as such, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the

Learned Additional Sessions Judge, Munger arising out of Dharahara P.S. Case No. 76 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

sushma/-

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(Jitendra Mohan Sharma, J)