

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52272 of 2015

Arising Out of PS.Case No. -126 Year- 2015 Thana -PANCHRUKHI District- SIWAN

Sanjeet Kumar Yadav son of Sharmanand Yadav, resident of Village-Sadikpur, P.S. Pachrukhi, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Sunil Kumar Pathak

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 07-12-2015 Heard Sri N.K. Agrawal, learned senior counsel, who was assisted by Sri Sunil Kumar Pathak, learned counsel for the petitioner, learned Additional Public Prosecutor as well as learned counsel, who has voluntarily appeared on behalf of the informant.

The petitioner, who is in custody since 9th June, 2015, in connection with Pachrukhi P.S. Case No. 126 of 2015, registered for the offence punishable under Section 302 and other allied Sections of the Indian Penal Code, has prayed for grant of bail.

Learned senior counsel for the petitioner submits that on perusal of the F.I.R. it is evident that in a spur of moment occurrence had taken place. He submits that accident in between two motorcycles had occurred and one of the co-villagers of the



petitioner received injury. It has been alleged that some of the villagers in support of the injured in the motorcycle accident arrived and assaulted the motorcycle rider, who had given injury to the co-villager. In the said occurrence death has occurred. It has been argued by learned senior counsel that no direct accusation has been attributed save and except general allegation. It has further been stated that petitioner has been implicated on the assertion that accused persons were addressing amongst them with their name. Accordingly, petitioner has been made accused and he has been taken into custody.

Learned counsel for the informant has vehemently opposed the prayer of the petitioner. He submits that this petitioner himself has accepted by lodging a separate case that petitioner was accompanying the injured motorcycle rider.

Be that as it may, keeping in view the facts and circumstances particularly the fact that there is general and omnibus allegation, there is no need to keep the petitioner detained.

Let the petitioner Sanjeet Kumar Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan,

in connection with Pachrukhi P.S. Case No. 126 of 2015, G.R.
No. 1869 of 2015.



Praful/-

(Rakesh Kumar, J)

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