

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51328 of 2014

Arising Out of PS.Case No. -34 Year- 2014 Thana -FESHAR District- AURANGABAD

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Baban Yadav S/o Musafir Yadav Resident of Village Basdiha Khurd, P.S.
Fesar, District Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vijay Anand Singh

For the Opposite Party/s : Mr. U.S.P.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 05-08-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in a case under Section 307
and other sections of the Indian Penal Code. Later on, Section 302
of the Indian Penal Code was added after death of the injured
Sudarshan.

The informant named the petitioner along with others
and alleged that while he was going to plough his land along with
his sons, the petitioner and others surrounded one of his sons but
the informant and his other sons managed to flee away. The
accused persons assaulted Sudarshan (son of the informant), who
was disabled. During the course of treatment, Sudarshan died. It
is submitted that omnibus and general allegation of assault is made
against the accused persons including the petitioner. Other accused

persons, namely, Sanjay Yadav, Mohan Yadav, Ramji Yadav, Manoj Kumar Yadav and Saroj Yadav have already been enlarged on bail by this Court. The case of the petitioner stands on similar footing.

Learned counsel for the informant and learned A.P.P., however, opposed the prayer for bail.

Considering the facts that omnibus and general allegation of assault with lathi and iron rod is made against the petitioner, other similarly situated accused persons have already been enlarged on bail and the case of the petitioner is on similar footing, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Fesar P.S. Case No. 34 of 2014.

Dilip/-

(Prabhat Kumar Jha, J)

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