

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40734 of 2015**

Arising Out of PS.Case No. -162 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

Hari Narayan Yadav

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sada Nand Ray, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      03-09-2015      Heard both sides.

The petitioner seeks bail in Makhdumpur P.S. Case no. 162/2015, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant named eight persons and alleged that on the order of the petitioner Hari Narayan Yadav, other accused persons dragged his brother Rajnish Kumar. Many other villagers came on alarm. Birendra Das and Brajesh Yadav pressed the neck of Rajnish Kumar with lathi. Upendra Yadav, Niranjana Kumar Yadav, Arvind Kumar Yadav and Bhim Das assaulted Rajnish Kumar and also pressed his chest. The informant, claimed himself to be an eye-witness of the occurrence, did not make any sort of allegation of assault against the petitioner, except that the

petitioner is an order giver.

On the other hand, learned counsel for the informant as well as Additional P.P. vehemently opposed the prayer for bail and submitted that other witnesses have also stated and supported the prosecution case.

From perusal of the FIR itself, it would appear that the informant is the brother of the deceased and eye-witness of the occurrence did not make any allegation of assault against the petitioner and petitioner is alleged to be an order giver.

Considering the facts aforesaid, the petitioner above named 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, Jehanabad, in connection with Makhdumpur P.S. Case no. 162/2015.

**(Prabhat Kumar Jha, J.)**

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