

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24830 of 2015

Arising Out of PS.Case No. -202 Year- 2014 Thana -KHAGARIA District- KHAGARIA

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Manoj Yadav S/o Bahardur Yadav Resident of village - Mathar, P.S.
Khagaria (Muffasil), District - Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party : Mr. Rajendra Singh Shastrijee (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-10-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 504, 341 and 302 of the I.P.C and section 27 of the Arms Act.

Allegedly, Bhola Yadav, the petitioner and others F.I.R. named accused persons entered into the courtyard of the informant and started abusing which was opposed by son-in-law Ravindra Yadav and then the petitioner threw him down on the bed and Bhola Yadav shot him who later on died.

Submission is of false implication and from the F.I.R. itself it appears that the petitioner has not committed any overtact and he was only member of unlawful assembly. Co-accused

Pramod Yadav @ Pramodi Yadav and Bahadur Yadav have been granted bail by the court below itself and the petitioner is in custody since 03.03.2015 though allegedly he is not the assailant, to which the learned A.P.P. opposes by submitting that against the petitioner there is specific allegation that he caught hold the deceased and got him down on the bed.

In the facts and circumstances as stated above, considering that the petitioner is not the assailant and as such considering his detention at this stage now, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Khagaria in Khagaria (Muffasil) P.S. Case No. 202 of 2014, G.R. No. 640 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Abhay/-

(Jitendra Mohan Sharma, J)

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