

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15696 of 2015

Arising Out of PS.Case No. -189 Year- 2014 Thana -KAKO District- JEHANABAD

1. Brijnandan Yadav Son of Late Babuchand Yadav resident of Village -
Deoraj Bigha, Police Station - Kako (Bhelwar) in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.19382 of 2015

Arising Out of PS.Case No. -189 Year- 2014 Thana -KAKO District- JEHANABAD

1. Yogendra Yadav @ Lalu Yadav Son of Krishn Yadav resident of Village
Deoraj Bigha, P.s Kako, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.15696 of 2015)

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. M.Haque(App)

(In Cr.Misc. No.19382 of 2015)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/22.06.2015

Both the above stated petitions arise out of Kako P.S. Case no. 189/2014 registered under sections 147, 148, 149, 302, 120B of the Indian Penal Code and 27 of the Arms Act and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners are named in the first information report with specific allegation that petitioner in Cr. Misc. no. 19382/2015 gave rod blow causing head injury to the deceased and similarly, petitioner in Cr. Misc. no. 15696/2015 assaulted the deceased with butt of his gun causing injury on his head. Not only inquest report but also post mortem report reflects that only one injury was found on the head of the deceased. Moreover, there is also allegation against rest accused persons that they indiscriminately assaulted the deceased by means of lathi and the aforesaid accused persons have already been granted privilege of bail.

Petitioners are in jail custody since long and investigation has already been completed.

Accordingly, petitioners are directed be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Kako P.S. Case no. 189/2014 subject to condition that they shall not tamper with the prosecution evidence and if any complaint is made against the petitioners in respect of tampering with the prosecution evidence, the concerned court shall be at liberty to cancel the bail bonds of the petitioners after due and proper enquiry and verification.

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(Hemant Kumar Srivastava,J)

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