

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50546 of 2015

Arising Out of PS.Case No. -191 Year- 2013 Thana -KUMARGHAND District- MADHEPURA

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1. Sunil Yadav, S/o Late Gajendra Yadav @ Rajendra Yadav Resident of
Village- Gadhiya, P.S.- Kumarkhand, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Kumarkhand P.S. Case No. 191 of 2013 registered for the
offence punishable under Sections 147, 148, 149, 323, 324, 307,
379, 385 and 504 of the Indian Penal Code.

Allegedly, in the occurrence co-accused Janardan
Yadav gave farsa blow on the head of the informant and when
Nageshwar Yadav came for rescue, the petitioner assaulted
Nageshwar Yadav with iron rod on his head and thereafter,
Janardan Yadav snatched Rs. 48,000/-.

Submission is of false implication and that FIR has
been lodged after delay of two days, the instant case is counter
blast of Kumarkhand P.S. Case No. 190 of 2013 and similarly

situated co-accused Janardan Yadav has been allowed bail vide Cr. Misc. No. 45648 of 2015 on 06.10.2015 and as such the petitioner also deserves sympathetic consideration. The petitioner is suffering in custody since 04.07.2015 and chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that co-accused Janardan Yadav has been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 191 of 2013, 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.

(Jitendra Mohan Sharma, J)

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