

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6297 of 2016

Arising Out of PS.Case No. -49 Year- 2013 Thana -LAXMIPUR District- JAMUI

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1. Podho Yadav @ Podo Yadav son of Shankar Yadav.
2. Bhoto Yadav S/o Shankar Yadav
Both Resident of Village- Tetariya Mangrar, P.S.- Laxmipur, District-
Jamui..... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Ashok Kumar Singh(App)

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

ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Laxmipur
P.S. Case No. 49 of 2013 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the Indian
Penal Code.

Allegedly, the petitioners and other co-accused named in
the first information report being armed with various weapon started
assaulting the husband of the informant and co-accused Shankar Yadav
gave knife blow on his chin and all assaulted him and fractured his
hand and leg. Thereafter, the husband of the informant was brought at
Sadar Hospital, Jamui where during treatment he died.

Submission is of false implication and that admittedly,
due to land dispute the occurrence has taken place, co-accused Shankar
Yadav has already been allowed bail vide Cr. Misc. No. 3007 of 2015

by another co-ordinate Bench of this Court and against the petitioners there is no specific allegation and they are in custody since 08.12.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

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

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Amrendra Kumar, J. M. Ist Class, Jamui in connection with Laxmipur P.S. Case No. 49 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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