

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11730 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Ram Pravesh Yadav son of Late Ramawtar Yadav, Resident of Village-
Suja tolapar, P.S. Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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

3 03-05-2016 Heard learned counsel for the petitioner, learned A.P.P.

representing the State and the learned counsel for the informant.

The petitioner seeks bail in connection with Muffasil
(Begusarai) P.S. Case No. 156 of 2015 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused named
in the First Information Report assaulted Biro Sharma, the son of
the informant brutally, in presence of the informant and his family
members resulting he son of the informant died when he was
brought for treatment.

Submission is of false implication and that specific
allegation is against co-accused Sulo Yadav and Suro Mahto. The

petitioner has been named later on, against the petitioner there is general and omnibus allegations and the petitioner is suffering from cancer and Medical Board has opined to refer him to higher medical centre at the earliest, vide annexure-2.

The learned APP duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that several injuries were found on the person of the deceased and the petitioner was also involved in assaulting the deceased. Further prayer of bail of two co-accused, namely, Sulo Yadav and Suro Mahto have already been rejected by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering that the son of the informant was assaulted earlier by Sulo Yadav and Suro Mahto and thereafter, against the petitioner there is allegation for assaulting the deceased but considering the opinion of Medical Board, vide annexure-2, on the medical ground, 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 the learned CJM, Begusarai in connection with Muffasil (Begusarai) P.S. Case No. 156 of 2015 subject to the conditions that one of the bailors must be 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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