

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36907 of 2016

Arising Out of PS.Case No. -122 Year- 2015 Thana -SAHARSA District- SAHARSA

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Ashok Yadav Son of Late Chandeshwari Yadav, Resident of Village-Simraha, Tola- Rajwara, Ward No.- 35, P.S.- Saharsa (Sadar), District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-12-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the I.P.C.

Allegation is that the accused persons including the petitioner abused and assaulted the informant, Bipin Yadav and Gopal Das by means of lathi and iron rod on the head, as a result of which they sustained injury on the head. In course of treatment Bipin Yadav died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.3.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner along with other co-accused, namely, Manoj Yadav and



Saroj Yadav are said to have assaulted upon the deceased by means of lathi as per the F.I.R. Subsequently another injured, namely, Gopal Das in paragraph 9 of the case diary has made allegation of assault upon the deceased against 14 accused persons named in the F.I.R. The postmortem report indicates that there is only one external injury on the head of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. case No.122 of 2015.

(Sudhir Singh, J)

Narendra/-

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