

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22203 of 2016**

Arising Out of PS.Case No. -207 Year- 2015 Thana -BIRPUR District- SUPAUL

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Manoj Yadav @ Manoj Kumar, Son of Ramnath Yadav, resident of Village  
- Bauraha, Police Station - Birpur, District - Supaul.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun

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

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

2 23-05-2016

Heard the learned counsel for the petitioner as well  
as the learned A.P.P for the State.

The petitioner seeks bail in connection with Birpur  
P.S. Case No. 207 of 2015 registered for the offences punishable  
under Sections 147, 148, 149, 323, 341 and 302 of the Indian  
Penal Code and 3(2)(V) of the SC/ST Act.

Allegedly, the petitioner is named in the first  
information report along with several other co-accused persons  
with allegation that he as well as his associates indiscriminately  
assaulted the deceased by means of lathi and the doctor declared  
mother of the informant dead. It is alleged that from earlier there  
was land dispute and case was going on.

Submission is of false implication and that the  
prosecution party committed murder of a person for which Birpur  
P. S. Case No. 67 of 2015 was registered and to take revenge, this

false case has been instituted, only one wound was found on the person of the deceased and the aforesaid fact clearly falsifies the prosecution story. In this case, similarly situated co-accused Ganesh Yadav has been allowed bail vide Criminal Misc. No. 8199 of 2016 by another co-ordinate bench of this Court and further Mahanand Yadav has also been allowed bail vide Criminal Misc. No. 6015 of 2016 to which the learned APP does not dispute.

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 the learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Birpur P.S. Case No. 207 of 2015, 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)**

Mishra/-

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