

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46491 of 2015

Arising Out of PS.Case No. -57 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Ramchandra Yadav S/o late Harihar Yadav Resident of Village- Uttari
Telua, Dera tola, P.s Nautan, District West Chamaparan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

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

5 02-03-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341, 323, 324, 325, 448,
380, 307, 302, 504, 506 and 34 of the I.P.C

The allegation against the petitioner is that he
assaulted Manager Yadav, the father of the informant, with Farsa
on his head resulting he fell down and then other co-accused
assaulted with Lathi on his head and thereafter in the way to
M.J.K. Hospital, Bettiah the father of the informant died.

Submission is of false implication and that in this case



other co-accused, namely, Lutan Yadav and Pradeep Yadav @ Doctor have been allowed bail, only one injury has been found on the right parietal region of skull of the deceased and that injury was lacerated caused by the hard and blunt substance, no sharp cut injury has been found on the person of the deceased and as such the petitioner who is suffering in custody since 04.04.2014 deserves sympathetic consideration as the occurrence has taken place due to the land dispute.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the trial is in progress and it is likely to be concluded.

In the facts and circumstances as stated above, considering that the injury found on the person of the deceased was caused by the hard and blunt substance and allegedly other co-accused assaulted with Lathi on the head of the deceased and as such considering detention of the petitioner, now he is directed to 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 6th Additional District & Sessions Judge, Bettiah, West Champaran in Sessions Trial No. 618 of 2014 arising out of Nautan P.S. Case No. 57 of 2014, 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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