

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47649 of 2015

Arising Out of PS.Case No. -255 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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Ram Prasad Yadav @ Ram Pd. Yadav, son of Late Gopali Yadav, resident
of village-Barhara, P.S. Narpatganj, District Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 13-01-2016 Heard Sri Anirudh Kumar Sinha, learned counsel for

the petitioner and Sri Madan Kumar, learned Addl. Public

Prosecutor.

This is the second attempt for grant of bail on behalf of
the petitioner in connection with Narpatganj P.S. Case
no.255/2014 registered for the offence under Sections 147,
148,149, 341, 323, 307 and 302 of the Indian Penal Code. Earlier
the prayer for bail of the petitioner was rejected on the ground that
he had given Bhala blow in the abdomen of the deceased, whereas
the allegation was made against one of the accused Mahanand
Yadav, who had inflicted Farsa blow on the head of the deceased,
due to which the deceased fell down and died. A plea has been
taken that after the rejection of the bail of the petitioner, number of



other accused persons have been granted bail by this Court and also the fact that trial has not commenced, though the case was committed to the court of Sessions. Earlier, in this case, a report was called for from the court below regarding stage of the case, which has been received and kept at Flag-X. The report indicates that the case was committed to the court of Sessions on 11.09.2015. Thereafter, it was transferred to the court of 4th Addl. District & Sessions Judge. However, on perusal of the report, it appears that charges were not framed.

Keeping in view the fact that after rejection of the prayer for bail of the petitioner, number of accused persons have been granted bail by this Court, there is no reason to deny the prayer for extending the privilege of bail. Let the petitioner, namely, Ram Prasad Yadav @ Ram Pd. Yadav be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K.Dixit, learned Judicial Magistrate, 1st Class, Araria in connection with Narpatganj P.S. Case no.255/2014 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during trial, the petitioner shall remain physically present in court on each and every date. If continuously on two dates, the petitioner fails to appear before the court below

without prior permission of the trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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