

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48919 of 2015

Arising Out of PS.Case No. -105 Year- 2013 Thana -RAJAUN District- BANKA

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Siyaram Yadav Son of Late Gobardhan Yadav, Resident of Village -
Tekani Shyampur, Police Station - Rajoun, District - Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Adv.

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary(App)

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

ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner seeks bail in connection with Rajoun P.S.
Case No. 105/2013 registered for the offences punishable under
Sections 341, 323, 354, 302, 504/34 of the Indian Penal Code.

Allegedly, due to land dispute, the petitioner being in
drunken condition started assaulting Kamleshwari Yadav, husband
of the informant, with fist and slap and thereafter other co-accused
also assaulted him, co-accused Sadanand Yadav started assaulting
with lathi resulting the husband of the informant died.

Submission is of false implication, due to land dispute,
the petitioner as alleged has only assaulted with fist and slap and
other co-accused namely Kailash Yadav, Dayanand Yadav and

Ram Swaroop Yadav have been allowed bail by another co-ordinate Bench of this Court and as such the petitioner who is suffering in custody since 26.05.2015 having no criminal antecedent deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that similarly situated other co-accused have been allowed bail and as such 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 Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 105/2013, 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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