

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57763 of 2015

Arising Out of PS.Case No. -382 Year- 2014 Thana -UDWANTNAGAR District- BHOJPUR

Mahesh Yadav son of Late Lalu Yadav, Resident of village- Khalisa, P.S.
Udwant Nagar, Distt.- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Dhirendra Singh, Advocate.

For the Opposite Party/s : Mr. C. Jawahar, A..P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Udwant
Nagar P.S. Case No. 382 of 2014 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 25 of the Arms Act.

Allegedly the petitioner and other co-accused named
in the First Information Report, after seeing the informant and his
brother, told that enemy has come and Kishun Deo Singh ordered
to catch him; on such Ramlesh Yadav @ Nata Yadav and the
petitioner came near the brother of the informant and co-accused

Ramlesh Yadav @ Nata Yadav fired from his pistol which hit on the chest of Tejan Yadav, the brother of the informant, and thereafter the accused persons fled away.

Submission is of false implication and that there is no specific allegation against the petitioner for committing any overt act; in this case other co-accused Kishundeo Singh @ Kishundeo Yadav, Vikash Yadav and Bideshi Yadav have already been allowed bail vide Cr. Misc. No. 45287/2015 vide Annexure-2 and, as such, the petitioner, who is suffering in jail custody since 29.09.2015, also deserve sympathetic consideration.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from those co-accused.

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 Chief Judicial Magistrate, Bhojpur, Ara in connection with Udawant Nagar P.S. Case No. 382 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 the privilege of bail.

Dilip/-

U		T	
---	--	---	--

(Jitendra Mohan Sharma, J)