

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13636 of 2016

Arising Out of PS.Case No. -129 Year- 2013 Thana -GOH District- AURANGABAD

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1. Deo Raj Yadav S/o Doman Yadav, Resident of village- Gamhari, P.S.-
Goh, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Narendra Kr.Singh(App)

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

2 20-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner wants to renew his prayer of bail which was earlier rejected on 16.02.2015 vide Cri. Misc. No. 42458 of 2014 on the ground that the petitioner is in custody since 17.07.2014, there is no specific allegation against him and some of the co-accused namely, Shyam Narayan Sao, Arvind Rawani and others have been allowed bail.

The learned A.P.P. opposes the submission by submitting that the petitioner was having fire arm and he was also opening fire upon the deceased.

In the facts and circumstances stated above,

considering that some of the other co-accused have been allowed bail and the petitioner by remaining in custody since 17.07.2014 has been sufficiently penalized and up till now there is no progress in the trial 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 1st Additional Sessions Judge, Aurangabad in Goh P.S. Case No. 129 of 2013 arising out of S. T. No. 117/14 and 65/14 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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