

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13172 of 2016

Arising Out of PS.Case No. -201 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

Nago Yadav @ Nageshwar Yadav @ Nago

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar-1, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 30-03-2016

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner had earlier moved for bail in Cr. Misc. No. 17029/2015 which was rejected on 12.08.2015 but liberty was given to the petitioner to renew his prayer for bail after six months.

The petitioner in in custody since 16.11.2014 in connection with Murliganj P.S.Case No. 201 of 2014 registered for the offences punishable under Sections 323, 341, 342, 307, 504/34 of the I.P.C.

The prosecution case is that the occurrence has taken place at the door of the accused persons, where allegedly the injured Ajay Yadav was taken by the accused persons after capturing him from the road while he was going to purchase medicine for his ailing horse from Kolhaipatti. Initially, this case was registered against the petitioner and three other accused

persons under Sections 323, 341, 342, 307, 504, 34 of the I.P.C., but after investigation, the case has been found true under Section 326 I.P.C. against the petitioner and other accused persons. The statement of injured Ajay Yadav shows that this petitioner and Ashok Yadav jointly pierced Kachiya (Sharp cut weapon) into his both eyes in the course of said assault being made by the accused persons and thereby damaged his both eyes.

It has been submitted by the learned counsel for the petitioner that he has no criminal antecedent as is evident from para-3 of this petition and there being no eye witness and he is in judicial custody since nearly one and half years.

Considering the period of custody, let the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- III, Madhepura in connection with Murliganj P.S.Case No. 201/2014, G.R. No. 2246/2014, S.T. No. 95/2015.

(Nilu Agrawal, J)

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