

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14393 of 2016

Arising Out of PS.Case No. -154 Year- 2013 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Mukesh Kumar Yadav @ Mukesh Yadav, Son of Late Shiv Dayal Yadav
Resident of Mohalla- Jawaripur, P.S.- Tilkamanjhi, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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

3 13-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with
Kotwali (Barari) P.S. Case No. 154 of 2013 registered for the
offence punishable under Sections 448, 504, 506, 354 and 307/34
of the Indian Penal Code.

The allegation against the petitioner is that he, co-
accused Pankaj Kumar Yadav and another two unknown entered
into the house of the informant and asked about Karu Yadav,
thereafter started abusing and the petitioner opened fire from
country made katta which hit in the leg of the informant and
thereafter the accused persons fled away.

Submission is of false implication and that the
petitioner has got no criminal antecedent, the informant was

found dead on 29.04.2015 in mysterious condition and for that her husband Deepak Kumar Verma was made accused with one truck driver Md. Januddin. The petitioner is a government servant and due to dirty village politics, he has been implicated and he is suffering in custody since 17.01.2016.

The learned APP opposes the prayer of bail by submitting that firearm injury was found on the middle side of right leg of the informant.

In the facts and circumstances stated above, the petitioner shall be released on bail after completion of nine months in custody 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, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 154 of 2013, 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 privilege of bail.

(Jitendra Mohan Sharma, J.)

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