

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22150 of 2016

Arising Out of PS.Case No. -168 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

1. Manoj Yadav @ Balma Yadav @ Balma Son of Ram Chandra Yadav,
Resident of Aijanidih, Police Station- Khodabandpur, District- Begusarai.
.... Petitioner

Versus

1. The State of Bihar
.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha

For the Opposite Party/s : Mr. Binod Kr. 2(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Khodabandpur (Chhourahi O.P.) P.S. Case No. 168 of 2014
registered for the offences punishable under Sections 302/34 of the
Indian Penal Code and Section 27of the Arms Act.

Allegedly, three motorcycle borne criminals came and
stopped the motorcycle in front of the medical shop and opened
fire on Rajesh Kumar Chaurasia, the son of the informant, and fled
away riding on motorcycle. The son of the informant died on the
spot. During investigation the name of the petitioner and others
transpired in the confessional statement of the petitioner and
further in the statement of witnesses that the petitioners and others
have caused threats to the deceased as he was the informant in

murder case of his brother and the accused persons were pressurizing to compromise that murder case.

Submission is of false implication and that if the petitioner and others have caused threats then why the same has not been mentioned in the first information report, the petitioner is not named in the first information report, other co-accused namely, Ramchandra Yadav, Sanjay Yadav and Ram Sobhit Yadav have been allowed bail, during trial eight prosecution witnesses have been examined and all have turned hostile and as such the petitioner who is suffering in custody since 05.08.2014 deserves sympathetic consideration to which the learned APP opposes.

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 Additional Sessions Judge- VIII, Begusarai in S. T. No. 69 of 2015 arising out of Khodabandpur (Chhourahi O.P.) P.S. Case No. 168 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 privilege of bail.

avin/-

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

(Jitendra Mohan Sharma, J)