

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21184 of 2016

Arising Out of PS.Case No. -796 Year- 2015 Thana -KHAGARIA District- KHAGARIA

1. Sukar Yadav Son of Vidyanand Yadav, Resident of village- Jangli
Mandal Tola Karari, P.S.- Muffasil, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

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

3 01-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Khagaria
(Muffasil) P.S. Case No. 796 of 2015 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 504 and
506 of the Indian Penal Code.

The allegation against the petitioner is that on the order
of co-accused Vidyanand Yadav, the petitioner opened fire which
hit the left thigh of the informant.

Submission is of false implication and that there is no
allegation that the petitioner repeated the firing, the doctor who
has examined the informant has found the injury simple caused by
fire arm, the injury has not been caused on vital part and, as such,

the petitioner deserves sympathetic consideration as he is suffering in custody since 07.02.2016.

The learned A.P.P. opposes the prayer of bail by submitting that the witnesses during investigation have supported the prosecution version.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months in custody from the date of his remand** 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 C.J.M., Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 796 of 2015 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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