

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50446 of 2015

Arising Out of PS.Case No. -143 Year- 2014 Thana -PAKARIBARAW District- NAWADA

1. Ajay Yadav, Son of Garib Yadav, resident of Village- Jhanjhri, Police
Staton- Chandradeep, District- Jamui..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Pakaribarawan P.S. Case No. 143 of 2014 registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

The informant named the petitioner as second son of
Garib Yadav and others alleging that they have committed murder
of Raju Yadav, Ravindra Yadav and Umesh Yadav.

Submission is of false implication and that the informant
is not an eye witness of the occurrence and after recovery of the
dead body of three deceased, Shambhu Yadav in paragraph 33 of
the case diary made statement claiming himself to be an eye
witness of the occurrence but he did not inform the informant
before the recovery of the dead bodies and Shambhu Yadava

happens to be the maternal uncle of Raju Yadav. Shambhu Yadav also made statement under Section 164 Cr.P.C. It is further submitted that similarly situated co-accused Gatam Yadav, Dinesh Yadav, Shyam Sundar yadav have already been allowed bail by another co-ordinate Benches of this Court and case of the petitioner stands on same footing to which the learned APP does not oppose.

In the facts and circumstances stated above, considering that other similarly situated co-accused have already been allowed bail, 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 Chief Judicial Magistrate, Nawada in connection with Pakribarawan P.S. Case No. 143 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.

(Jitendra Mohan Sharma, J)

avin/-

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