

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53920 of 2015

Arising Out of PS.Case No. -202 Year- 2015 Thana -NAUBATPUR District- PATNA

1. Radhe Yadav, S/o- Late Raghunandan Yadav, aged about... years,
Resident of village- Panhara, P.S. Naubatpur, District- Patna.
2. Keshav Yadav, S/o- Tijan Yadav, Resident of village Panhara, P.S-
Naubatpur, District- Patna. Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 01-03-2016 Heard learned counsel for the petitioners, the
learned A.P.P. representing the State, as also the learned
counsel for the informant.

The petitioners seek bail in connection with
Naubatpur P.S. Case No. 202 of 2015 registered for the offences
punishable under Sections 302 and 34 of the Indian Penal Code.

Allegedly, co-accused Umesh Yadav shot the
husband of the informant resulting he fell down and the
petitioners also opened fire. It is alleged that due to shot fired by
Umesh Yadav the husband of the informant died.

Submission is of false implication and that the
informant is not an eye-witness, during post-mortem
examination only one wound of entry and one wound of exit

have been found and for that the petitioners are not responsible rather co-accused Umesh yadav is responsible and as such the petitioners who are suffering in custody since 06.07.2015 deserve sympathetic consideration to which the learned APP duly assisted by learned counsel for the informant opposes.

In the facts and circumstances stated above, considering that the petitioners, above named, are not the assailants and as such they are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate, Danapur, District- Patna in connection with Naubatpur P.S. Case No. 202 of 2015, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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