

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58027 of 2015

Arising out of PS.Case No. -228 Year- 2015 Thana -RAJAULI District- NAWADA

1. Rajo Yadav, S/o Daro Yadav.
2. Daro Yadav, S/o Late Bhuna Yadav.
Both are residents of Village - Mohanpur, P.S. - Rajauli, District –
Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. J.N.Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 22-01-2016

Heard the parties.

A supplementary affidavit enclosing the postmortem report is being filed. Let it be kept on record.

The petitioners are in custody in connection with Rajauli P.S. Case No.228 of 2015 for the offences punishable under sections 302/34 of the Indian Penal Code.

Learned counsel with reference to the FIR placed at Annexuree-1 has submitted that although there is general and omnibus allegation of assault against the petitioners including the other co-accused, the specific charge is against Dharmendra Yadav of assaulting Kuleshwar Yadav on his head by means of a Tangi. Learned counsel with reference to the postmortem report enclosed with the supplementary affidavit vide Annexure-3 has

submitted that death has been caused due to the injury on the head.

Having heard learned counsel for the parties and considering the materials on record, let the petitioners, namely, Rajo Yadav and Daro Yadav be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) upon each to them furnishing two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No.228 of 2015 subject to the following conditions:

- (a) One of the close relative of the petitioners would stand as a bailor and would file an affidavit as regarding his/her relationship with the petitioners as also an undertaking of informing the court below regarding change of address of the petitioners;
- (b) The petitioners would file an affidavit to accept the police papers and if they avoid to do so, the court below would be at liberty to cancel the bail bonds of the defaulting petitioner(s) and to take him/them into custody; and
- (c) The petitioners shall ensure their representation before the court below on each and every date fixed

in the case and their failure to do so on two consecutive dates fixed without reasonable explanation to the satisfaction of the court below, would entitle the court concerned to cancel the bail bonds of the defaulting petitioner(s) and to take him/them into custody.

(Jyoti Saran, J)

SKPathak/-

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