

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6203 of 2016

Arising Out of PS.Case No. -211 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Prabhash Yadav Son of Dhaniklal Yadav, R/o Village - Mankhani, P.S. -
Bihra, District - Saharsa. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Pradip Nr. Kumar (App)

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

ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Bihra P.S.
Case No. 211 of 2015 registered for the offences punishable under
Sections 341, 324, 307, 448, 506, 120B/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, the petitioner being in jail custody after
hatching up conspiracy after sending his two brothers Santosh
Yadav and Subhash Yadav got injured the husband of the
informant by firearm.

Submission is of false implication and that without any
legal and tangible material the petitioner has been implicated, the
informant only with a view to put the petitioner behind the bar has
named him in the first information report, during investigation no
legal and tangible material has come against the petitioner and as

such the petitioner deserves sympathetic consideration to which learned APP fairly submits that the petitioner was in custody at the relevant time.

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 Sri V. N. Prasad, J. M. Ist Class, Saharsa in connection with Bihra P.S. Case No. 211 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 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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