

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6738 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -SABAUR District- BHAGALPUR

Amarnath Yadav, s/o Late Suggah Yadav @ Gope, R/v Mansarpur, P.S.
Sabour, Distt. Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ansuiya Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 03-05-2016

Heard learned counsel for the petitioner, learned A.P.P.

representing the State and learned counsel for the informant.

The petitioner seeks bail in connection with Sabour P.S. Case No. 160 of 2015 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the petitioner being father-in-law and other co-accused caught the son of the informant, brought in the house and after tying him in pillar, assaulted brutally causing his death.

Submission is of false implication and that against the petitioner there is no specific allegation, allegations are general and omnibus in nature, in para-9 of the case diary it has come that it was co-accused, Gaurav Kumar who gave fatal blow to the deceased, similarly situated other co-accused, namely, Suman Devi, Nirmala Devi and Ramvilas Yadav have already been allowed bail by other co-ordinate Benches of this Court.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that prayer of bail of Sonika Devi, the wife of the deceased has already been rejected.

In the facts and circumstances stated above, considering that during investigation it has come that fatal blow was given by co-accused Gaurav Kumar, the petitioner is old father-in-law and also considering his detention and further that other co-accused have been allowed bail, the petitioner, above named, is also 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 ACJM, Bhagalpur in connection with Sabour P.S. Case No. 160 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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