

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8211 of 2016

Arising Out of PS.Case No. -28 Year- 2015 Thana -BISHUNPUR District- DARBHANGA

Santosh Yadav @ Santosh Kumar Yadav Son of Rajdeo Yadav, resident of
Village- Mustafapur, Police Station- Bishunpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuri Lata

For the Opposite Party/s : Mr. M.K. Nirala (App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, the petitioner is seeking bail in
connection with Sessions Trial No. 207 of 2015 arising from
Bishunpur P.S. Case No.28 of 2015, registered for the offences
under Sections 341, 147, 323, 302, 307, 379, 504 and 427 of the
Indian Penal Code.

The petitioner has earlier moved before this Court in
Criminal Miscellaneous No.22134 of 2015 and this Court, vide
order dated 15.06.2015, has rejected the bail of the petitioner.

From perusal of the record it appears that the dispute
arose on account of the construction of the road as the offending
party was claiming that one small movable shop was standing on

the public road which was denied and resisted but the offending party was insisting for removal of the same, which led to an altercation and one person has died.

From the record it appears that the petitioner is in jail since 08.04.2015.

Looking to the period of custody, let the petitioner-above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge, Darbhanga in connection with Sessions Trial No. 207 of 2015 arising from Bishunpur P.S. Case No.28 of 2015, subject to the conditions that:-

- (i) One of the bailors will be a close relative of the petitioner;
- (ii) If the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to file application for cancellation of bail and the Court below will pass necessary order, including cancellation of bail and
- (iii) The petitioner would co-operate in the proceeding and in the event of being absent on two consecutive dates without reasonable

explanation, the Court below will be at liberty to pass appropriate order, including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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