

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20721 of 2016

Arising Out of PS.Case No. -145 Year- 2013 Thana -BITHAN BAZAR District- SAMASTIPUR
=====

1. Naresh Yadav Son of Dukhan Yadav resident of village- Larjha, P.S.-
Bithan, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Renuka Ratnakar, (APP)
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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 17-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Bithan P.S.
Case No. 145 of 2013 registered under Sections 379, 120(B) of the
I.P.C. and 27 of the Arms Act and ¾ Explosive Substance Act.

The prosecution case is that 8 persons including
the petitioner came on motorcycles at the shop of Pankaj Yadav,
son of the informant and fired at Pankaj Yadav, while he tried to
save himself running towards the shop of Mukhiya but at that
time, firing was also made in which Kamlesh Yadav also
sustained firearm injury. Both Pankaj Yadav and Kamlesh
Yadav were taken to the Hospital but they were declared

dead.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case, being a co-villager of Shravan Yadav co-accused. While the allegation is to shot fire by four accused persons named in the F.I.R. but only two injures are found on the person of the deceased Pankaj Yadav and one injury was found on the person of the deceased Kamlesh Yadav. It is also submitted that similarly situated co-accused Shravan Yadav has already been allowed bail by this Court vide Cr. Misc. No. 51872 of 2015 on 10.02.2016 and the petitioner is in custody since 10.11.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Bithan P.S. Case No. 145 of 2013. Out of two sureties, one surety must be the close relatives/parents of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of trial in the Court below. If the petitioner fails to remain present on two consecutive dates during the course of trial without

any reasonable cause, the Court concerned would be at liberty to
take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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