

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47944 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -KHIJARSARAI District- GAYA

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Andhi Yadav Son of Late Deo Nath Yadav, Resident of Village -
Maksudpur Tola Raniganj, P.S. - Khijar Sarai, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Madhura Nand Jha (App)

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

3 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Khijar
Sarai P.S. Case No. 85 of 2015 registered for the offences
punishable under Sections 447, 341, 323, 324, 307 and 302/34 of
the Indian Penal Code.

The allegation against the petitioner is that during the
occurrence he assaulted the informant with sword causing injury
in his left shoulder and co-accused Mahendra Yadav assaulted the
father of the informant with sword on his head resulting Binod
Yadav, the father of the informant died.

Submission is of false implication due to land dispute,
the manner of occurrence as alleged by the informant is not true,

the doctor has examined the informant Rajesh Kumar and two injuries have been found on the person of Rajesh Kumar which are simple in nature and, as such, the petitioner who is suffering in custody since 16.04.2015, deserves sympathetic consideration to which the learned A.P.P. does not oppose.

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 the Learned Additional District and sessions Judge 3rd, Gaya arising out of Khijar Sarai P.S. Case No. 85 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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