

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54423 of 2015

Arising Out of PS.Case No. -11 Year- 2011 Thana -HASPURA District- AURANGABAD

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1. Pramod Yadav son of late Rajdeo Singh Resident of Village- Chirayatand, P.S.- Haspura, District- Aurangabad.
 2. Saryu Yadav, son of Rajnath Yadav resident of Village- Hardeyal Bigaha, P.S.- Haspura, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. T.P.Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 01-03-2016 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

The petitioners seek bail in connection with Haspura P.S. Case No. 11 of 2011 registered for the offences punishable under Sections 147, 148, 323, 325, 379, 448 and 307 of the Indian Penal Code.

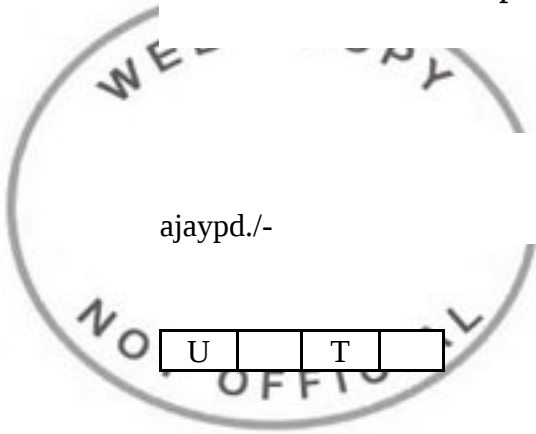
Allegedly, the petitioners and other F.I.R. named accused persons after entering into the house of the informant assaulted him and when the wife of the informant came to rescue she was also assaulted by co-accused Guddu Yadav with iron rod

and further the accused persons opened fire which did not hit and then assaulted with iron rod and further they took away gold chain, locket and boxes containing cash and ornaments.

Submission is of false implication and that there is no specific allegation against the petitioners and they are suffering in custody since 14.09.2015, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, co-accused Guddu Yadav has already been allowed bail vide Criminal Miscellaneous No. 51316 of 2013 and as such the petitioners also deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering detention of the petitioners, named above, now both are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 11 of 2011, 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 petitioners shall remain present on each and every date during trial and the default on two

consecutive dates on their part without any reason shall disentitle
the petitioners from privilege of bail.



(Jitendra Mohan Sharma, J.)