

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41730 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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Kailash Yadav, Son of late Mahendra Yadav, Resident of Village-
Musahrnia P.S. Sour Bazar, District Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate

For the Opposite Party : Mr. Sri Mithilesh Kumar Khare (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Sour
Bazar P.S Case No. 91 of 2015 registered for the offences
punishable under Sections 341, 323, 324, 379, 385, 307, 504,
506/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused took
away the nephew of the informant on motorcycle with purpose of
marriage and when the informant and other went at Parmanandpur
then his nephew was found in unconscious condition at beside of
road and then he was brought at the house and then on 27.03.2015
all the F.I.R. named accused persons including the petitioner came
and demanded Rs. 50,000/- as ransom and in that process the

petitioner assaulted with farsa on the head of the informant and snatched ornament of gold and silver valuing Rs. 80,000/- and cash of Rs. 5,000/-.

Submission is of false implication and that there is case and counter case, the petitioner has received multiple injuries and his fardbeyan was recorded in injured condition in Sadar Hospital, Saharsa, the injury found on the person of the informant is simple in nature though it is sharp cut superficial as its size of 6 c.m x 1 c.m. x 1/2 c.m.

The learned A.P.P. fairly submits that injury on the person of the informant has been found simple in nature.

In the facts and circumstances stated above, considering the injury report and further that there is case and counter case and the petitioner has also received multiple injuries and as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No. 91 of 2015, 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 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.)

Rajiv/-

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