

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6050 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -MEDANICHOWK District- LAKHISARAI

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Gore Lal Yadav @ Gorkha son of Dinesh Yadav Resident of Village -
Abgil Rampur (Hasaina) P.S. - Medni Chowki, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(App)

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

ORAL ORDER

5 11-04-2016 Supplementary affidavit has been filed on behalf of the

petitioner disclosing that the petitioner is involved in five more

cases, let it be kept on record.

Heard learned counsel for the petitioner, learned

counsel for the informant and learned A.P.P. representing the

State.

The petitioner seeks bail in connection with

Mednichowki P.S. Case No. 25 of 2015 registered for the offences

punishable under Sections 147, 148, 149, 324, 307, 387 and 506 of

the Indian Penal Code and Section 27 of the Arms Act and Section

3(X) of the SC/ST Act.

Twelve F.I.R named accused persons including the

petitioner caught the informant and asked as to why demand of Rs.

5,00,000/- was not fulfilled, thereafter took away towards north side and with an intention to kill him, opened fire which hit the informant and he fell down.

Submission is of false implication and that there is no specific allegation against the petitioner, in this case co-accused Gautam Mahto, Dinesh Yadav and Nitesh Yadav have been allowed bail by different co-ordinate Benches of this Court and the petitioner who is suffering in custody since 21.09.2015, also deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner does not deserve bail as he has got criminal antecedent and in this case co-accused Bhikhari Singh, having seven cases, has already been refused bail vide Cri. Misc. No. 54963 of 2015 and, as such, the petitioner does not deserve bail.

In the facts and circumstances stated above, considering that there is no specific allegation against the petitioner and he by remaining in custody has now been sufficiently penalized, other co-accused Dinesh Yadav has been allowed bail and, as such, the petitioner, above named, is also 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 Judicial Magistrate, Lakhisarai in connection with Mednichowki P.S. Case No. 25 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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