

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1495 of 2016

Arising Out of PS.Case No. -37 Year- 2013 Thana -SALKHUA District- SAHARSA

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1. Chhabi Lal Yadav @ Chhabiya Yadav son of Late Dasrath Yadav @
Tikuli Yadav, resident of Village- Amni, P.S. Mansi, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-04-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 323, 504, 384 and 386/34 of the
I.P.C

Allegedly, the petitioner and the co-accused riding on
horse came at the construction site and assaulted the driver of
poplen machine for not fulfilling the demand of the ransom and
stopped the work and again on mobile ransom was demanded
otherwise to kill them. During investigation the witnesses have
supported that the petitioner and the co-accused have come riding
on horse and assaulted the driver and demanded ransom.

Submission is of false implication and that the
petitioner has been made victim of the police atrocity, he has not

demanded anything, no offence as alleged is made out, the petitioner is the resident of Khagaria district which is 40 kilometer away from the place of occurrence, not a single paisa has been paid and as such the petitioner who is suffering in custody since 25.08.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner is involved in eight more cases.

In the facts and circumstances as stated above, considering that no ransom was paid and as such considering detention of the petitioner, now he is directed to 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 Sri V.N. Prasad, J.M. 1st Class, Saharsa in Salkhua P.S. Case No. 37 of 2013/ G.R. No. 448 of 2013, 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)

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