

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34444 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Jagdish Yadav, son of Late Dhanukdhari Yadav, resident of Village
Mandilpur, P.S. Rahui, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Deepnagar P.S.
Case No. 195 of 2016 for offences punishable under Sections 147,
148, 149, 341, 323, 302 and 504 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he along with his son and other relatives was on the way
to meet his nephew Mukesh Yadav the co-accused persons
including the petitioner variously armed with weapons fired on the
son of the informant on which he succumbed to the injuries. As
many as seven persons have been named in the F.I.R along with
two unnamed persons.

It has been submitted by the learned counsel for the



petitioner that he is innocent, is a man of 78 years old and the allegations are general and omnibus upon all the accused persons. He submits that there was admittedly a land dispute between the parties and being on inimical terms the petitioner has been also named in the F.I.R. He submits that charge-sheet has already been submitted and he is languishing in judicial custody since 24.10.2016.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner along with other accused person killed the son of the informant.

Considering the facts and circumstances and the materials on record and also the age of the petitioner, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Biharsharif (Nalanda) in connection with Deepnagar P.S. Case No.195 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court



below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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