

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15638 of 2017

Arising Out of PS.Case No. -734 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Manoj Yadav @ Manoj Kumar S/o Arunandan Yadav, Resident of
Village- Sahugarh, Dibani Tola, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha

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

ORAL ORDER

3 01-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 734 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named
accused persons, being armed with country made pistol and rifle,
opened firing upon Bablu Yadav, son of the informant, which hit
his right arm and chin resulting he fell down and thereafter, all the
accused persons fled away towards north. The injured was brought
to Sadar Hospital where doctor declared him dead.

Submission is of false implication and that there is no
specific allegation against the petitioner. The allegations are
omnibus and general in nature. Seven accused persons are named



in the F.I.R. including the petitioner who fired upon the deceased but only two injuries have been found on the person of the deceased. The petitioner is in custody since 05.12.2016.

The learned A.P.P. opposes the prayer of bail by submitting that the father of the deceased has named the petitioner also.

In the facts and circumstances stated above, considering that there is no specific allegation against the petitioner, seven accused persons are alleged to have opened fire upon the deceased but only two injuries were found and, as such, the petitioner above named is 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 C.J.M., Madhepura in connection with Madhepura P.S. Case No. 734 of 2016 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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