

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19352 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -DARAUNDHA District- SIWAN

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Chandrika Yadav Son of Bishun Yadav Resident of Village - Mardanpur,
Police Station Daraunda, District - Siwan..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Opposite Party/s : Mr. Sri Ashok Kumar

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

ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Daraundha
P.S. Case No. 122 of 2016 registered for the offences punishable
under Sections 302, 307, 341, 120B of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner is not named in the first information report
wherein specific allegation is against FIR named accused persons
to have opened fire causing death of the son of the informant. The
informant is an eye witness of the occurrence but name of the
petitioner transpires during investigation in the confessional
statement of Markandey Giri.

Submission is of false implication and that Markandey
Giri and Jitendra Kumar Singh have already been allowed bail
vide order dated 08.05.2017 passed in Cr. Misc. No. 20637 of



2017 and 21459 of 2017 by another co-ordinate Bench of this Court and as such the petitioner deserve sympathetic consideration.

Learned APP fairly submits that two co-accused have been allowed bail.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 122 of 2016, 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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