

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8024 of 2017

Arising Out of PS.Case No. -818 Year- 2016 Thana -BANKA District- BANKA

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1. Ashok Yadav, son of Late Narayan Yadav,
2. Gajo Kumar @ Gajo Yadav @ Gajendra Yadav, son of Shankar Yadav
Both resident of Village- Lohani Kurawa, Police Station- Banka, District-
Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Banka P.S.Case No. 818 of 2016 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 325, 307, 379 and 504/506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is land dispute between the parties and there is case and counter case and allegation against petitioner No.1 is that he assaulted by Khanti to the husband of the informant on his leg and about which opinion was reserved. So far petitioner No.2 is concerned, there is no specific allegation against him and there is general and omnibus allegation against all the accused persons and petitioners have remained in custody for four months.

Heard learned APP also, who has opposed the prayer for bail.



Having heard both sides and considering the allegation of assault on non-vital portion, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge- IV, Banka, in connection with Sessions Trial No. 363 of 2016, arising out of Banka P.S.Case No. 818 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of their bail.

(Vinod Kumar Sinha, J)

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