

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30186 of 2017

Arising Out of PS.Case No. -329 Year- 2016 Thana -BAHERA District- DARBHANGA

- =====
1. Manoj Yadav son of Ram Babu Yadav.
 2. Ram Babu Yadav son of Late Sindeshwar Yadav @ Late Singheshwar Yadav Both are resident of Village- Motipur, Police Station- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

5 29-08-2017 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners are languishing in judicial custody since 16.03.2017 in connection with Bahera P.S. Case No. 329 of 2016 for offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and Section 34 of the Explosive Substance Act.

The prosecution case, as lodged by the informant, is that when the informant was going to take straw, the accused/petitioner, Manoj Yadav came upon Motor cycle and



pushed his nephew and this led to fists and slaps, in between petitioner Manoj Yadav and his nephew. It is also alleged that after some time the accused persons came and petitioner no. 1 assaulted his nephew with Tengari and petitioner no. 2 assaulted with back portion of Tengari and he hurled bomb on Ashok Yadav who sustained injuries.

It has been submitted by the learned counsel for the petitioners that they are innocent, no case under Section 307 IPC is made out against them as the final injury report on all the injured persons have been found to be simple in nature. He submits that that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur (Darbhanga) in connection with Bahera P.S. Case No. 329 of 2016, subject to the condition that one of the bailors would be a



close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioners.

(Nilu Agrawal, J)

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