

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21149 of 2017

Arising Out of PS.Case No. -25 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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Mohan Yadav, son of Muso Yadav, resident of Village- Hathiondha, Police Station- Bihariganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bihariganj P.S.Case No. 25 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Petitioner is named in the FIR and allegation is of assault to the deceased against the petitioner and other co-accused and further allegation is that they have threatened the deceased earlier for dire consequence.

It has been submitted on behalf of the petitioner that though there is allegation of assault against petitioner and other accused persons but post mortem report shows only one injury on the person of deceased and considering this aspect one of the co-accused has been granted bail in Cr.Misc.No.15438 of 2017, vide order dated 20.6.2017 by a co-ordinate Bench of this Court and petitioner is in custody since 25.1.2017.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Udakishunganj, Madhepura, in connection with Bihariganj P.S.Case No. 25 of 2016, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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