

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22566 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Anand Yadav Son of Amar Yadav R/o Dumari Mahanwa, P.S. -
Majhauria, Dist - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Majhauria P.S.Case No.161 of 2016 registered for offences
punishable under Sections 147, 148, 149, 323, 341, 324, 302, 307
& 504/34 of the Indian Penal Code.

Specific allegation of assault on the deceased, as per F.I.R.,
is against the co-accused persons and also the allegation of assault
against the petitioner & another co-accused person is by 'lathi'
and the deceased died due to injuries caused by the assault.

It is submitted on behalf of the petitioner that there is
specific allegation of assault against the co-accused persons by
'Bhala' and other weapons and against the petitioner and
another co-accused person, there is allegation of assault by 'lathi'
but there is no injury on the person of the deceased of the hard
and blunt substance and the petitioner is in custody for more than



one month. It is further submitted that the other co-accused persons, having similar allegation, have already been granted bail by this Court, vide order dated 01.05.2017 passed in Cr. Misc. No.11383 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the main allegation is against the other co-accused persons, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah, West Champaran in connection with Manjhaulia P.S. Case No.161 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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