

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38680 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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Brajesh Yadav, S/o Rajendra Yadav, Resident of Village- Sakrullahchak,
P.S.- Babarganj, Distt- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with

Mojahidpur (Babarganj) P.S. Case No. 164 of 2016 registered

for the offence punishable under Sections 341, 323, 307, 504

and 506/34 of the Indian Penal Code and Sections 3/ 4 of the

Explosive Substances Act.

The prosecution case, as lodged by the informant,

is that while he along with his family was sleeping in the

house, petitioner and Manna Yadav, who are full brothers of

the informant, came and started abusing him and accused

Manna Yadav hurled bomb on his younger brother, Gopal



Yadav, as a result of which he along with his neighbour Md. Monu got injured. There was a property dispute between the petitioner and the informant as both are full brothers.

It has been submitted by the learned counsel for the petitioner that he is innocent, is full brother of the informant and no specific allegation has been leveled against the petitioner and allegation of hurling bomb is against his other brother, Manna Yadav, who has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 39048 of 2017 on 21.08.2017. He submits that he has been remanded in the present case and is languishing in judicial custody since 02.12.2016.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner has a criminal antecedent and two cases are pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection Mojahidpur (Babarganj) P.S. Case



No. 164 of 2016, subject to the condition that one of the bailors would be close relative of the petitioner.

(Nilu Agrawal, J.)

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