

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60841 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -BELDAUR District- KHAGARIA

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1. Devnarayan Yadav S/o Late Nako Yadav, R/o Village- Pirnagra, P.S.-
Beldaur, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Beldaur P.S. Case No.119 of 2017 registered for the offences
punishable under Sections 341, 323, 324, 325, 326 and 307/34 of
the Indian Penal Code and Section 27 of the Arms Act and during
course of investigation Section 302 of I.P.C. has been added.

This petitioner is father of other four accused. It is said
that on the order of this petitioner, the other four accused (the
sons of this petitioner) assaulted the deceased by means of spade
and lathi. The victim was moved to the hospital where in course
of treatment he died after few days. It has been submitted that two
sons of this petitioner, namely, Harballav Yadav and Shyamal
Yadav, who allegedly assaulted the victim by spade and rod, have
been allowed bail on 09.11.2017 in Cr.Misc.No.47910 of 2017.



This petitioner, who allegedly ordered to assault the victim, is in custody since 18.06.2017 having clean antecedent. The occurrence took place for land dispute for which a counter case bearing Beldaur P.S. Case No.120 of 2017 has been lodged.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.-III, Khagaria in connection with Beldaur P.S. Case No.119 of 2017 (G.R. No.1771 of 2017), subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) 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 reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

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(Sanjay Kumar, J)

