

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24888 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -JAYNAGAR District- MADHUBANI

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1. Manoj Yadav, S/o Late Laxmi Yadav, resident of Village- Belahi West,
P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 23.09.2016 in a
case registered for offences punishable under Sections 341, 323,
324, 307, 34 and 506 of the Indian Penal Code and 27 of Arms
Act.

The prosecution case is that while the informant was
returning to home after eating betel from the market, three persons
surrounded and assaulted the informant and tried to rob the
informant with chura and when he tried to chase them, they fled
away. Further submission of the informant in the F.I.R. is that two
persons namely, Badri Yadav and Mukesh Yadav had threatened
the informant to settle the land dispute, otherwise he would be
killed.

It is submitted by the learned counsel for the petitioner



that he is innocent and not named in the F.I.R. and has been falsely implicated on the basis of confessional statement of co-accused, Md. Jahangir, who has since been granted the privilege of bail by a Co-ordinate Bench of the Court passed in Cr. Misc. No. 16121/ 2017 dated 08.04.2017 He further submits that no Test Identification Parade has been done and charge sheet has already been submitted.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstance of the case and materials on record , let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani in connection with Jainagar P.S.Case No. 88 of 2016 (G.R. No. 808 of 2016), subject to the condition that the petitioner will appear before the learned Court below during trial on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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