

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33781 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -JANKINAGAR District- PURNIA

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Sunil Kumar @ Sunil Yadav Son of Resham Lal Yadav Resident of Village
Kari Mandal Tola, Janki Nagar, Police Station Janki Nagar, District-
Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Janki Nagar
P.S. Case No. 33 of 2017 for offences punishable under Sections
341, 323, 324, 325, 302, 307, 379/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while the petitioner side was constructing one canal in the
land of the informant, on objection the petitioner along with 13
others and 2-3 unknown accused came variously armed with Lathi
and Farsa and started assaulting the informant side on which father
of the informant Harish Chandra Yadav succumbed to the injuries.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and there



was land dispute between both parties and there was a counter case lodged by the petitioner side regarding assault and free fighting between both parties. He submits that specific assault is on accused Binod Yadav of assaulting the informant's father Harish Chandra Yadav and allegation upon the petitioner and three others is of hitting the mother of the informant by Lathi and Danda. The injury of the mother of the informant has been assessed as per medical report as simple in nature. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and is languishing in judicial custody since 22.02.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the father of the informant was killed by the accused persons including the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Purnea in connection with Janki Nagar P.S. Case No. 33 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the



concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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