

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47743 of 2017

Arising Out of PS.Case No. -257 Year- 2012 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Nand Yadav @ Nand Lal Yadav, Son of Late Balkaran Yadav, Resident
of Village- Chaumukha, P.S.- Jogapatti, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The Petitioner seeks regular bail in connection with
Jogapatti P.S. Case No. 257 of 2012 for offences alleged under
Sections 302, 120-B, 504 and 34 of the Arms Act and under
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that
while she was returning along with her brothers after receiving
medical aid, eleven unknown persons including the petitioner
started abusing them and six accused persons fired on her brother
Raj Kishore Yadav who died at the spot.

It has been submitted by the learned counsel for the
petitioner that he is innocent and he was simply a member of mob.



There is no specific allegation of gunshot or fire by the petitioner and that on similar allegation one of the co-accused person has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 36985 of 2017 vide order dated 30.08.2017. The petitioner is languishing in judicial custody since 10.05.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let 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 learned C.J.M., Bettiah, West Champaran, in connection with Jogapatti P.S. Case No. 257 of 2012, subject to the following conditions-

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner

2. 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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