

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60810 of 2017

Arising Out of PS.Case No. -127 Year- 2015 Thana -KAUAKOL District- NAWADA

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Bholi Yadav @ Bhuli Yadav, son of Bal Kishun Yadav, resident of Village
Rani Bazar, P.S. Kowakole in the district of Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved this Court for grant of bail
in Cr. Misc. No. 17135 of 2017, which was rejected on
22.06.2017.

Petitioner is languishing in custody since 02.11.2016 in
connection with Kowakole P.S. Case No. 127 of 2015 for offences
punishable under Section 302 and other allied Sections of the
Indian Penal Code.

The prosecution case, as lodged by the mother of the
deceased Shankar Yadav, is that he worked as Munshi with sand
contractor Rajballabh and engaged in the work of issuing challan.
Two days back he had some altercation regarding issuance of
challan with the petitioner and while the informant was returning



home after work, five persons including the petitioner had seriously beaten his son and while being treated, he succumbed to the injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the allegations are general and omnibus upon five persons including the petitioner and it is not certain that on whose injury the informant's son succumbed. He submits that the case has already been committed to the court of sessions and numbered as Sessions Trial No. 393 of 2016/ 310 of 2016. He further submits that petitioner undertakes to cooperate in the trial on day-to-day basis.

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.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II, Nawada, in connection with Sessions Trial No. 393 of 2016/ 310 of 2016, arising out of Kowakole P.S. Case No. 127 of 2015, subject to the conditions that both 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 their 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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