

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 56255 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -KHAIRA District- JAMUI

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Kapil Yadav, son of Darogi Yadav, resident of Village- Tetariyatand, P.S.
Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Kartik Kumar Sinha, Advocate

For the Opposite Party/s : Ms Nirmala Kumari, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-12-2017

Heard counsel for the petitioner and the State.

The petitioner is accused in Khaira Police Station Case No 193 of 2016 dated 21.07.2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 504, 506 of Indian Penal Code in which later on Section 302 of Indian Penal Code has also been added.

Counsel for the petitioner submits that from perusal of the first information report, it is evident that the specific allegation has only been made against co-accused Upendra Yadav and Damodar Yadav. As regards the petitioner, there is general and omnibus allegation. No specific overt act has been alleged against him. The informant and petitioner are relatives and it is submitted that the occurrence had taken place due to land dispute



between the parties and petitioner has no criminal antecedent prior to the instant case and he is in custody since 24.05.2017.

Having regard to the submissions made on behalf of the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jamui in Khaira Police Station Case No 193 of 2016 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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