

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26820 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Bhutti Yadav, Son of Badari Yadav, Resident of Village- Siswa Bairagi,
Police Station- Yogapatti (Nawalpur), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Yogapatti (Nawalpur) P.S.Case No.216 of 2016, registered for
offences punishable under Sections 147, 148, 149, 341, 323, 324,
307, 447, 448, 379 & 302 of the Indian Penal Code.

Allegation against the petitioner and other accused persons
is of assault to the deceased and other injured, causing his death.

Submission of the learned counsel for the petitioner is that
he along with 12 persons have been named in the occurrence. No
specific allegation has been made against the petitioner. The
petitioner is in custody for about four months. It is also submitted
that the other co-accused persons, having similar allegation, have
been granted bail by this Court vide order dated 01.12.2016
passed in Cr. Misc. No.45430 of 2016.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail. The learned counsel for the informant has submitted that the deceased has stated about assault by the petitioner to other persons but he has not brought any specific overt act against the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the 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 C.J.M., Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S.Case No.216 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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