

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19045 of 2017

Arising Out of PS.Case No. -131 Year- 2009 Thana -SALKHUA District- SAHARSA

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1. Mohan Yadav Son of Tarni Yadav Resident of Village-Kathdumar, P.S.-
Simri Bakhtiyarpur District-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Salkhua P.S. Case No. 131 of 2009 corresponding to Sessions Trial No. 210 of 2016 instituted for the offence under Sections-302, 201, 120B & other minor sections of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that there is no any specific allegation of overt act against him. He is merely alleged to be a member of unlawful assembly. It has also been submitted that the other accused with similar allegation has already been granted bail by a coordinate bench of this court vide order dated 11-05-2017 passed in Cr. Misc. No. 22478 of 2017.

From the written report, it appears that the petitioner is alleged to be a member of unlawful assembly and there is no



specific allegation of overt act against him.

In such circumstances, the prayer for bail is allowed and the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Salkhua P.S. Case No. 131 of 2009 corresponding to Sessions Trial No. 210 of 2016 to the satisfaction of learned Ist Additional Sessions Judge, Saharsa subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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