

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49537 of 2017

Arising Out of PS.Case No. -228 Year- 2015 Thana -RAJAULI District- NAWADA

=====

Karu Yadav, son of late Bhunna Yadav, resident of Village – Mohanpur,
PS – Rajauli, District – Nawada (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Pramod Kumar Verma, Advocate

For the State : Mr Manoj Kumar – 1, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-10-2017

Counsel for the petitioner seeks permission of the Court to correct the date of custody of the petitioner stated in paragraph 9 which he submits should be 19.07.2016. He is permitted to do so.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered under Sections 302/34 of Indian Penal Code.

Counsel for the petitioner submits that from the first information report, it would be apparent that the allegation of assault upon the informant's brother with *Tangi* on his head causing the fatal injury is attributed to one Dharmendra Yadav. It is further submitted that there is no specific allegation against the petitioner and the petitioner has been implicated in this case on the



basis of general and omnibus allegation. It is also submitted that co-accused Rajo Yadav and Daro Yadav, similarly situated as the petitioner, have been granted bail by this Court by order dated 22.01.2016 passed in *Cr Misc No 58027 of 2015*. It is further submitted that the petitioner has no criminal antecedent.

Considering the aforesaid submissions, 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 Additional Sessions Judge IV, Nawada in Sessions Trial No 556 of 2016/733 of 2016 arising out of Rajauli Police Station Case No 228 of 2015 subject to the following conditions:

(i) 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.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of



misuse.

(iv) 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./-

U		T	
---	--	---	--

