

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60576 of 2017

Arising Out of PS.Case No. -124 Year- 2015 Thana -KHAIRA District- JAMUI

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1. Raju Yadav @ Rajju Yadav S/o Late Rohan Yadav, R/o Village-
Tetariyatn, P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khaira P.S. Case No.124 of 2015 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

The allegation as per the First Information Report is that
the petitioner and the others accused persons have assaulted the
deceased causing his death. It has been submitted that no specific
allegation has been attributed to the petitioner and the allegation of
assault is general and omnibus. The motive behind the occurrence
is against co-accused, Pradeep Yadav, who has been allowed bail
by a coordinate Bench of this Court in Cr. Misc.No.31586 of 2017
on 02.08.2017. The case of the petitioner stands on better



footing.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. 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 like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Jamui in connection with Khaira P.S. Case No.124 of 2015 (S.T. No.398 of 2017), subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate 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.

(Sanjay Kumar, J)

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