

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10170 of 2017

Arising Out of PS.Case No. -212 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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1. Awadhesh Yadav, S/o Baleshwar Yadav,
2. Ranjit Yadav, S/o Nageshwa Yadav @ Nago Yadav Talab,
Pakribarawan, P.S.- Pakribarawan, Distt- Nawada.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-03-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Paikribarawan P.S.Case No. 212 of 2016 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 324, 307, 504, 379, 325 and later on 302 of the Indian Penal Code has been added.

It has been submitted on behalf of the petitioners that initially the case has been instituted under Section 307 and other sections of the Indian Penal Code but later on after death of Chotan Yadav Section 302 has been inserted and so far allegation is concerned, Chotan Yadav (deceased) has been assaulted by other accused persons and so far petitioners are concerned, it is alleged that they have assaulted one Badri Yadav and the injuries on the person of Badri Yadav are simple in nature, which will appear from Annexure-2, the injury report and they are in custody for 29.11.2016.

Heard learned APP also.

Having heard both sides and considering the fact that



allegation against the petitioners is of assault on Badri Yadav and the injuries sustained by him are simple in nature and they are in custody for three months, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Kumar Abinash, Judicial Magistrate, 1st Class, Nawada, in connection with Pakribarawan P.S.Case No. 212 of 2016, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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