

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56672 of 2017

Arising Out of PS.Case No. -54 Year- 2016 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Sanjay Yadav S/o Late Ram Roop Rai @ Ram Swaroop Rai, R/o Vill.-
Surujpur, P.S.- Pipra Kothi, Distt.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Pipra
Kothi P.S. Case No. 54 of 2016 for offences punishable under
Sections 302, 307/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that while he heard the sound of Bachao-Bachao from his
neighbor Bilti Devi's house, he and his brother rushed there.
In the meantime, one co-accused Shital Yadav with knife in
his hand assaulted the informant and one of his cousin
brother, on which his brother succumbed to the injuries. It is
alleged that petitioner along with others are in conspiracy



with said Shital Yadav.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, no overt act has been committed by him and it is only on suspicion that petitioner has been made accused. He submits that final form was submitted in which the petitioner was not sent up for trial, but later on he was arrested and is languishing in judicial custody since 04.08.2017. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and one of the co-accused, who was also made accused on suspicion, has been granted pre-arrest bail by this Court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Pipra Kothi P.S. Case No. 54 of



2016, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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