

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47308 of 2017

Arising Out of PS. Case No.-235 Year-2017 Thana- BAHERA District- Darbhanga

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1. Shrawan Kumar Yadav@ Shrawan Yadav, Son of Late Ram Prakash Yadav,
 2. Kalbindar Yadav Son of Shyam Yadav, Both R/o Village- Radhiyam , P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanhaiya Prasad Singh Sr. Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey APP

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 16-10-2017 Heard Mr. Kanhaiya Prasad Singh in support of the prayer for grant of bail to the petitioners who are accused(s) under Section 307 of the IPC. Later Section 302 of the IPC is added vide Bahera P.S. case no. 235 of 2017.

There is allegation of assault attributed to the petitioner no.1. However, there is general and omnibus allegation levelled against other accused persons including the petitioner no.2.

Learned counsel submits that accused side also received injury at the hands of the prosecution side which has not been explained. The background of the case was also placed.

Be that as it may, considering the allegation levelled against the petitioner no.1 and the observation made in the impugned order, the Court is not inclined to direct release of



petitioner no.1, namely, Shrawan Kumar Yadav @ Shrawan Yadav on bail. Prayer for bail made on behalf of the petitioner no.1 is rejected. He may renew his prayer for bail if the trial is not taken up within 09 months from the date of receipt/production of a copy of this order.

So far as the petitioner no.2, namely Kalbindar Yadav is concerned, this Court is inclined to release him on bail. Let the petitioner no.2 be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipur, Darbhanga /concerned Court, in connection with Bahera P. S. Case No. 235 of 2017, subject to the condition that one of the bailors of the petitioner shall be his own/close family member

(Kishore Kumar Mandal, J)

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