

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28261 of 2017

Arising Out of PS.Case No. -169 Year- 2006 Thana -SAHARSA District- SAHARSA

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1. Kajal Yadav son of Satto Yadav, resident of Village- Dhanoja P.S.
Mahishi District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.12.2015 in connection with Saharsa P.S. Case No. 169 of 2006
for offences punishable under Sections 302/34, 120-B, 379 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that the petitioner along with 11 other accused persons variously
armed with rifles, country made pistols, stenguns were, waiting for
the informant and other persons who had gone to have food in a
ceremony. All the accused persons including the petitioner fired
on Surya Narayan and Sanjay Yadav and as a result of which
Surya Narayan, the brother-in-law of the petitioner and
one Sanjay Yadav succumbed to the injuries. The



reason behind the occurrence has been stated to be a long drawn enmity because of land dispute.

It has been submitted by the learned counsel for the petitioner that general and omnibus allegation has been levelled against him and other co-accused have been granted privilege of bail on similar allegation in Criminal Misc. No. 30934 of 2017 on 06.07.2017 and Cri. Misc. No. 23252 of 2008 on 02.09.2008.

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 1st Additional Sessions Judge at Saharsa, in connection with Saharsa P.S. Case No. 169 of 2006 subject to the condition that petitioner will appear before the learned court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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