

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14128 of 2018

Arising Out of PS. Case No.-208 Year-2016 Thana- GHOSI District- Jehanabad

Deo Narain Yadav, Son of Ugal Yadav alias Yugul Yadav, Resident of
Village- Umrai Bigha, Police Station- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Ashfaq Ahmad, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

This is the second round of litigation. Earlier the prayer for bail of the petitioner was rejected vide order dated 21.06.2017 passed in Cr. Misc. No. 21314 of 2017. Petitioner is languishing in judicial custody since 10.11.2016 in connection with S.T. No. C.T.R. 2 of 2017 arising out of Ghoshi (Okari) P.S. Case No. 208 of 2016 registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code. And Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while the cattle of both the parties were grazing in the field, because of some dispute and altercation, petitioner came armed with rifle along with other associates and fired on the



informant's husband on his head, which seriously injured him.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that injury was not on the head, and as per the injury report, injury was caused near the right eye and that the petitioner is languishing in judicial custody for more than one year four months and as of date, charges have not been framed. He submits that he is ready to cooperate in the investigation and appear during trial on each and every date.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with S.T. No. C.T.R. 2 of 2017 arising out of Ghoshi (Okari) P.S. Case No. 208 of 2016, subject to the conditions that:

- (1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an



affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below 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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