

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22315 of 2018

Arising Out of PS. Case No.-154 Year-2015 Thana- ATRI District- Gaya

=====

Kavindra Yadav, Son of Late Rajendra Yadav, Resident of Village-Charbara, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

=====

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 14.09.2017 in connection with Atri P.S. Case No. 154 of 2015 registered for the offence punishable under Section 302 and other allied sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he and his father Sri Yadav were grazing buffalo in the field, petitioner along with six other accused persons variously armed with lathi, danda and khanti came and started assaulting both of them on which informant managed to flee away, but his father sustained



grievous injuries and succumbed. The cause of dispute was regarding pillar to be installed on the disputed land which the informant's father claimed to be his.

It has been submitted by the learned counsel for the petitioner that he is innocent, general and omnibus allegation has been levelled and it is not ascertainable as to on whose assault, informant's father succumbed. He submits that one of the similarly situated co-accused has been granted the privilege of pre-arrest bail by a coordinate Bench of this Court in Cr. Misc. No. 1168 of 2016 vide order dated 12.04.2016 and another co-accused has been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No. 1184 of 2016 vide order dated 03.03.2016. He submits that charge-sheet has already been submitted and the present case is a counter blast to Atri P.S. Case No. 153 of 2015 lodged by the informant's side in which both sides received injuries.

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 Additional Chief Judicial Magistrate-II, Gaya in connection with Atri P.S. Case No. 154 of 2015.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

