

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37076 of 2018

Arising Out of PS. Case No.-24 Year-2013 Thana- SAHARSA RAIL P.S District- Khagaria

Pramod Yadav @ Pramod Kumar Yadav S/o Late Jay Narayan Yadav, R/o
Vill.- Sinduriya Tola, Hathiyondha, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sessions
Trail No. 428 of 2017 arising out of Saharsa (Banmankhi) Rail P.S.
Case No. 24 of 2013 registered for offence under Section 302/34
of the Indian Penal Code and 27 of the Arms Act.

Allegedly, Matra @ Digambar Mandal, the uncle of
the informant had gone to the fertilizer shop of one Bana Singh,
where the petitioner along with four others fired on him causing
serious injury and when he was brought to the hospital, he died.

Submission is of false implication and that due to
previous enmity the petitioner has been implicated in this case.
The deceased was himself a veteran criminal and as many as five
cases were pending against him, some of very serious in nature.
The informant has not seen the occurrence, chargesheet has



already been submitted and there is no allegation of tampering with the prosecution evidence, similarly situated Kailash Mandal @ Kaila @ Kaila Mandal has been allowed bail vide Cri. Misc. No. 30590 of 2017 by another co-ordinate bench of this Court and against the petitioner also there is general and omnibus allegation.

Learned A.P.P. fairly submits that other co-accused has been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Khagaria, in connection with Sessions Trial No. 428 of 2017 arising out of Saharsa (Banmankhi) Rail P.S. Case No. 24 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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