

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50813 of 2017

Arising Out of PS.Case No. -228 Year- 2015 Thana -RAJAULI District- NAWADA

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1. Dharmendra Yadav Son of Daro Yadav, R/o Village- Mohanpur, P.S.-
Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code.

On account of land dispute there was free fight from both
sides. As per First Information Report petitioner has given a
Tangi blow on the head of the victim which led to his death.

This Court vide order dated 11.4.2016 passed in Cr.
Misc. No. 7290 of 2016 rejected the bail of the petitioner. This
Court has called for the status report which reflects that eight
witnesses have examined including the informant and Doctor.
The Investigating Officer has not been examined.

Learned counsel for the petitioner submits that even



after lapse of two months Investigating Officer has not reported for the evidence and on his account the trial is not proceeding The petitioner is in jail since 9.9.2015.

Having considered the facts and circumstances of the case and looking to the period of custody, let petitioner, Dharmendra Yadav, 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 the Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No.228 of 2015, subject to the conditions that (i) one of the bailors shall be a close relative of the petitioner i.e. mother, father wife or son and (ii) petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail of the petitioner.

(Shivaji Pandey, J)

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