

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44573 of 2018

Arising Out of PS.Case No. -189 Year- 2018 Thana -JAGDIHSPUR District- BHOJPUR

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Sadhu Yadav, S/o Late Kishore Yadav, R/o Village- Sohawan Tola, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 17.05.2018 in connection with Jagdishpur P. S. Case No. 189 of 2018 for the offence registered under Section 307 of the Indian Penal Code and Section 25(1-B)/A/ 26/ 27/ 35 Arms Act.

Learned counsel for the petitioner submits that the entire occurrence was the outcome of an incident in which certain children had plucked mangoes from the orchards of which the petitioner was the caretaker. It is submitted that when the petitioner Sadhu Yadav, who was the Care Taker of the Orchard protested against the act of pilferage by the children, the villagers came and started assaulting as a result of which there was assault



at the hands of the petitioner also, leading to certain injuries on both sides. It is further submitted that admittedly that the occurrence took place out of a petty issue and only because the petitioner was performing his duty, the villagers became belligerent and they came back and attacked the petitioner.

Considering the fact that the petitioner has no criminal antecedent but for one case which was subsequent to this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XI, Bhojpur at Ara in connection with Jagdishpur P.S. Case No.189 of 2018, subject to the following conditions :-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.



(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

N.H./- Rajeev

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