

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52257 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Brijesh Yadav @ Bijali Yadav S/o Late Sakai Yadav, R/o Vill.-
Bathwariya, P.S.- Nathwariya, Distt.- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Chautarwa (Bathwariya) P.S.Case No.116 of 2018 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

FIR discloses that five accused persons came at the door of Harendra Yadav and assaulted his son causing his death. The petitioner is also named in the FIR stating that he was also present there.

Submission of the learned counsel for the petitioner is that the FIR itself shows that there is no allegation against the petitioner of assault and he is in custody since 1.6.2018. The charge-sheet has been submitted and he has no criminal



antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of ACJM Ist, Bagaha District West Champaran in connection with Chautarwa (Bathwariya) P.S.Case No.116 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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