

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70620 of 2018

Arising Out of PS. Case No.-127 Year-2017 Thana- DULHIN BAZAR District- Patna

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1. Baijnath Yadav son of Late Sukhlal Yadav.
 2. Yogendra Yadav, son of Sri Ramesh Yadav. Both are Residents of Village- Sadawah, P.S. Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surj Bansh Roy

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2018 Heard learned counsel for the parties.

Petitioners seek bail in **Dulhin Bazar P.S. Case No. 127 of 2017** registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant has alleged that four persons named in the FIR have assaulted his son as a result of which during course of treatment he died after 21 days of incident.

It has been submitted on behalf of the petitioners that FIR was instituted after one month of the occurrence. It has been further submitted that similarly, situated co-accused person has been granted bail vide order dated 21.02.2018 passed in 1853 of 2018. Petitioners have got no criminal antecedent. Petitioner no. 1 is in custody since 16.08.2016 and petitioner no.



2 is in custody since 03.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/-each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Danapur**, in connection with **Dulhin Bazar P.S. Case No. 127 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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