

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76669 of 2018

Arising Out of PS. Case No.-154 Year-2015 Thana- ATRI District- Gaya

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Dhanesh Yadav, S/o Late Rajendra Yadav, resident of village, Charbara, P.S.
Atri, District, Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Atri P.S. Case No. 154/15
registered for the offence punishable under Sections 341, 323,
324, 147, 148, 149, 302 and 307 of the Indian Penal Code.

The informant has alleged that on 09.09.2015, while he
along with his father was grazing buffalo in the field, the F.I.R.
named accused armed with Lathi and Khanti came to them and
started assaulting both of them on which the informant managed
to flee away but his father sustained injuries and succumbed.

It has been submitted on behalf of the petitioner that he
is innocent and has falsely been implicated in this case due to
land dispute. It has further been submitted that there is general
and omnibus allegation against the petitioner. Petitioner has no
criminal antecedent and he is in custody since 12.10.2018.



Similarly placed other co-accused persons have already been granted bail vide Annexures 2 and 3.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Gaya in connection with Atri P.S. Case No. 154/15, with following conditions:-

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

(2) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

Sanjay/-

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