

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56234 of 2018

Arising Out of PS. Case No.-124 Year-2016 Thana- ALOULI District- Khagaria

Ram Nath Yadav son of Late Ramjeewan Yadav resident of Village -
Jhakhara, P.S. Alauli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh
For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioner and the State

The petitioner seeks regular bail in connection with
Alauli P.S. Case No. 124 of 2016, registered for offences
punishable under Sections 307, 324, 387, 504, 506/34 of the
Indian Penal Code.

Allegation against the petitioner and others is of firing
on the brother of informant Ram Kumar Mukhiya and one
Ashrafe Mukhiya and there is specific allegation against the
petitioner that he fired on Ashrafe Mukhiya causing injury to
him.

It has been submitted on behalf of the petitioner that
statement of Ashrafe Mukhiya has been recorded, in which he
has not identified the petitioner as the assailant, which has



been mentioned in para 72 of the case diary. Further petitioner has no criminal antecedent and has been in judicial custody since 17.03.2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 124 of 2016, subject to the 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 cooperate in the disposal of trial and make himself



available as and when required by the court and on the event of failure on his part 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.

(Vinod Kumar Sinha, J)

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