

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57444 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -PAWNA District- BHOJPUR

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Binod Yadav Son of Yogeshwar Yadav, R/o Village- Khopira (Pali Dhibar),
P.S.- Pawna, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Sri S.M. Rahman, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 147, 148, 149, 323,
337, 379, 302 of the Indian Penal Code.

Allegation is of commission of assault with
iron rod at the head of the deceased. There is no repetition of
blow. However, the deceased died of the said injury. The
allegation is against the petitioner as well as co-accused
Mukesh Yadav. However, the Doctor has found single injury.
Co-accused Mukesh Yadav has already been allowed bail by
a Coordinate Bench of this Court in Cr.Misc.No.56040 of
2017. The petitioner is in custody since 19.03.2017.

Learned counsel for the informant opposed



the prayer for bail.

Considering the period of custody and the fact that the averment in the FIR does not attract the ingredients of offence under Section 302 of the Indian Penal Code for the purpose of this bail application, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pawna Police Station Case No.13 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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