

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62681 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- MURLIGANJ District- Madhepura

Gajendra Yadav, S/o Late Brahmi Yadav, R/o Village- Rampur Terasi, P.S.
Murliganj, Distt.- Madhapura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand

For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Murliganj P.S. Case No. 87 of 2018 registered for the offence punishable under Sections 341, 323, 307, 302, 34 of the Indian Penal Code.

Allegation against petitioner is of assaulting and abusing the informant, his wife and his son-in-law and as a result of said assault his son-in-law was badly injured and was taken to the hospital where he was declared dead.

It has been submitted on behalf of the petitioner that occurrence took place on 10.03.2018 and FIR was lodged on 15.03.2018 without any explanation of such delay, which creates serious doubt about the correctness of prosecution story. It has



been further submitted that there is general and omnibus allegation against petitioner. Similarly placed co-accused persons, namely Upendra Yadav, Abhishk Kumar and Ashok Yadav have been granted bail by this Hon'ble Court vide order dated 06.09.2018 passed in Cr. Misc. No. 37537 of 2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Murliganj P.S. Case No. 87 of 2018 subject to the conditions that:-

- (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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.
- (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)

veena/-

U		T	
---	--	---	--

