

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65203 of 2018

Arising Out of PS. Case No.-517 Year-2015 Thana- SAUR BAZAR District- Saharsa

Ramanand Yadav Son of Late Chhedi Yadav Resident of Village-Tilathi P.S.
Saur Bazar (Patarghat O.P.) Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-11-2018 Heard learned Counsel for the petitioners and the
learned APP for the State.

This is a case registered under Sections 302 & 34
of the Penal Code and Section 27 of the Arms Act pending in
the Court of CJM Saharsa.

This is second attempt on behalf of the petitioner for
grant of bail. Earlier his bail was rejected on 17.2.2018.

It is submitted by the Counsel for the petitioner that
he is in custody since 24.7.2017. Referring to the postmortem
report it is submitted that there is only one fire arm injury. He
submits from the FIR that it would be apparent that the
allegation of first fire arm injury is by one Santosh Yadav and
thereafter again by this petition. The fire arm injuries therefore
does not sustain the prosecution case. The petitioner submits



that he has falsely been implicated in this case on the basis of suspicion.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Saharsa in Saur Bazar (Patharghat O.P.) PS Case No. 517 of 2015 subject to the conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J.)

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