

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59803 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -KHAJAUJI District- MADHUBANI

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1. Yogendra Sadai, Son of Laxmi Sadai, Resident of Village- Sukki Masahari tola, P.S. Khajauli Distt. Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Soban Asghar

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

03 02-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Khajauli P.S. Case No. 16 of 2017 registered under Section 147, 148, 323, 149, 341, 324, 379, 448, 307, 302 and 304 of the Indian Penal Code.

Petitioner along with 13 other accused persons are said to have assaulted the informant and his family members. Co-accused Jitendra Sadai gave two knife blow on the chest and stomach of the brother of the informant, namely, Bindeshwar Sadai.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather



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general and omnibus in nature. Petitioner does not happen to be assailant rather the informant in his further statement and all other witnesses have specifically stated that it is the Jitendra Sadai who gave knife blow to the deceased resulting into his death. In the postmortem report, the doctor has also found two incised wound on the chest of the deceased. The petitioner has been languishing in custody since 04.03.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Khajauli P.S. Case No.16 of 2017 (G.R. No.313 of 2017).

(Prakash Chandra Jaiswal, J)

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