

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64314 of 2018

Arising Out of PS. Case No.-413 Year-2017 Thana- BAKHTIYARPUR District- Patna

Kaushal Yadav Son of Late Jogendra Yadav Resident of Village-Naya Tola
Modhopur P.S. Bakhtiyarpur Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Bakhtiyarpur P.S.Case No.413 of 2017 dated 27.9.2017 registered for offences punishable under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR against the petitioner and one co-accused Kamlesh is of firing on the deceased which hit on the thigh and due to that he died.

Submission of the learned counsel for the petitioner is that the statement of the brother of the deceased has been recorded and , in which he has named Kamlesh and not against the petitioner and more over the postmortem report shows only one injury on the person of the deceased and the petitioner is in



custody since 16.11.2017.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is allegation of firing against the petitioner also and as such he does not deserve bail..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Barh in connection with Bakhtiyarpur P.S. Case No.413 of 2017..

With 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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