

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58219 of 2018

Arising Out of PS.Case No. -65 Year- 2018 Thana -BRAHMPUR District- BUXAR

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1. Kamlesh Yadav, S/o Gorakh Yadav, resident of Village- Chakki, P.S. Barhampur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

For the Opposite Party/s : Mr. Surendra Kr. Singh

Mr. Tulika Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-11-2018 Heard learned counsel for the petitioner, informant and the learned A.P.P. for the State.

The petitioner seeks bail in Barhampur (Chakki O.P.) Case No. 65/2018, instituted for the offences under Sections 302/34 of the Indian Penal Code.

It is alleged in the written report that on 21.02.2018 at about 10 P.M., petitioner along with F.I.R. named accused persons and 5 to 7 unknown persons armed with *lathi*, *Garasa* and iron rod arrived and assaulted the brother of informant when he was returning after watching a programme, who became unconscious. Thereafter, during course of treatment he died. It is further alleged that informant has seen the occurrence from the distance of 25 yards.



Post-mortem report is available in case diary, wherein doctor has found cause of death due to injury caused by heavy impact.

Learned counsel for the petitioner has submitted that other co-accused with similar allegation has already been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 20588/2018 dated 13.07.2018. Petitioner is in custody since 30.07.2018.

Learned counsel for the informant has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 A.D.J. VIth, Buxar in connection with Barhampur (Chakki O.P.) P.S. Case No. 65/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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