

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70467 of 2018

Arising Out of PS. Case No.-152 Year-2018 Thana- SIKANDRA District- Jamui

Naresh Yadav Son of Fakirchand Yadav, resident of Village- Bichhwe, P.S. Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amardeep, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-12-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sikandra P.S. Case No. 152 of 2018 registered for the offences punishable under Sections 147, 148, 149, 302 and 120 (B) of the Indian Penal Code and under Section 27 of the Arms Act.

Informant alleged that when he along with his family members were returning to their house all FIR named accused including petitioner stopped them and assaulted Balmiki Yadav and Dharmendra Yadav as a result of which both of them fell down thereafter Suresh Mahto give order to kill them and Binod Mahto fired upon Balmiki Yadav and Abdhesh Yadav fired upon Dharmendra Yadav as a result of



which both died and they fled away.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. He is only a member of mob. There is no specific allegation against petitioner. He has no criminal antecedent and he is in custody since 25.07.2018. It has been further stated that similarly placed co-accused Shree Yadav has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 59334 of 2018 vide order dated 06.10.2018.

Considering the aforesaid fact 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 J.M. 1st Class, Jamui in connection with Sikandra P.S. Case No. 152 of 2018, subject to conditions:

- (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 properly represented on each and every date fixed by the court and shall remain physically present as



directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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)

Rajiv/Manoj-

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