

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7316 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- MAHKAR District- Gaya

Sudhir Yadav, aged about 25 years, male, son of Shiva Yadav, Resident of Village - Jharha, P.S.- Mahkar, District, Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Mahkar P.S. Case No. 148/2017 registered for the offence punishable under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code and later on Section 302/34 of the IPC has been added.

Earlier the bail application of the petitioner has been rejected vide order dated 29.06.2018 passed in Cr. Misc. No.28978 of 2018.

Allegation against the petitioner and others is to have assaulted upon the informant, his brother, his sister-in-law and further allegation that they assaulted on the head of father of the informant, who died during course of his treatment.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to



previous enmity. It has further been submitted that the doctor has opined the injuries to be simple in nature and deceased died after one month and cause of death is infection, septic and anaemic. Similarly placed co-accused persons have already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 6. Petitioner has no criminal antecedent and he is in custody since 01.11.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Mahkar P.S. Case No. 148/2017, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

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