

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3396 of 2019

Arising Out of PS. Case No.-210 Year-2017 Thana- HASANPUR District- Samastipur

Sagar Yadav @ Ram Sagar Yadav son of Late Nathuni Yadav, residence of village Mauji, P.S. Hasanpur, Dist. Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Manoj Kumar(APP 185)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Hasanpur P.S. Case No. 210 of 2017 for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 Arms Act.

The allegation is regarding the accused persons having assaulted the son of the informant resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is having a clean antecedent and the only allegation against the petitioner is giving order to other accused person to assault the son of the informant, as such if at all the allegation of death of the son of the informant is attributable to any one, it is against other accused persons and not against the



petitioner herein. It is lastly submitted that the petitioner is 70 years of age, hence, he could not have assaulted the son of the informant, resulting in his death and, in fact, it is also not the allegation. The order of a co-ordinate Bench of this Court dated 28.09.2018 passed in Cr. Misc. No. 54791 of 2018 has been referred to whereby a co-accused person, namely, Bambam Yadav has already been granted bail. The petitioner is languishing in custody since 15.11.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. Rosera, District Samastipur in connection with Hasanpura P.S. Case No. 210 of 2017.

(Mohit Kumar Shah, J)

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