

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19042 of 2019

Arising Out of PS. Case No.-13 Year-2017 Thana- PAWANA District- Bhojpur

RAKESH KUMAR @ RAKESH YADAV Son of Vinod Yadav Resident of
Village - Khopira (Pali Dhibar Tola), P.S.- Pawna, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 309 of 2018 arising out of Pawna P.S. Case
No. 13 of 2017 for the offences punishable under Sections
147/148/149/323/337/379/302 of the Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner having assaulted the father of the
informant resulting in his death subsequently.

The learned counsel for the petitioner submits that as
far as the petitioner is concerned, there is no specific allegation
of any specific overt act and, in fact, the only allegation against
the petitioner is that he had thrown bricks on the father of the
informant. It is further submitted that two co-accused persons,



namely, Vinod Yadav and Mukesh Yadav had hit on the head of the father of the petitioner leading to injuries resulting in his death and the postmortem report also shows that only one injury was found on the person of the deceased. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 28.03.2018. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide orders dated 4.9.2017 and 17.2.2018 passed in Cr. Misc. No.40582 of 2017 and Cr. Misc. No.57444 of 2017.

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 Additional Sessions Judge-VIII, Bhojpur, Ara in connection with Sessions Trial No. 309 of 2018 arising out of Pawna P.S. Case No. 13 of 2017.

(Mohit Kumar Shah, J)

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