

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19867 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- CHOUTARWA District- West
Champaran

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Harendra Yadav @ Harenda Yadav Son of Manager Yadav Resident of Village
- Bathwairiya, Ward No. 15 , P.S.- Bathwariya, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-04-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case
registered for the offence punishable under Sections 302/34 of
the Indian Penal Code.

Allegation against the petitioner is of beating the son
of the Informant with lathi and danda along with FIR named
accused, who during the course of treatment died.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to
land dispute. There is no allegation of any specific overt act
against the petitioner rather there is general and omnibus
allegation against all FIR named accused. During investigation



no incriminating material has come against the petitioner. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 05.10.2018 in Criminal Miscellaneous No. 52257 of 2018, 04.12.2018 in Criminal Miscellaneous No. 69281 of 2018 and 09.01.2019 in Criminal Miscellaneous No. 71114 of 2018. Petitioner has got no criminal antecedent and is in custody since 01.06.2018.

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 court below where the case is pending, in connection with **Tr. No. 3171 of 2018 arising out of Chautatrwa (Bathwariya) P.S. Case No. 116 of 2018**, 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/her absence on two consecutive dates without sufficient reason, his/her 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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