

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24113 of 2019

Arising Out of PS. Case No.-276 Year-2018 Thana- ALOULI District- Khagaria

MANOJ YADAV Son of Mahendra yadav Resident of Village - Hathwan,
P.S.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-07-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Alauli P.S. Case No. 276 of 2018, registered for the offence punishable under Sections 341, 323, 325, 452, 354B, 307, 380 and 504(B) of the Indian Penal Code. The present petition has been filed by way of second attempt inasmuch as the earlier petition of the petitioner for grant of regular bail was rejected by this Court by an order dated 9.1.2019 passed in Criminal Miscellaneous No. 69852 of 2018.

The case of the prosecution in brief is that the co-accused Chhotan Yadav had entered into the house of the informant and tried to commit illegal and immoral act upon her whereupon, she had raised alarm and thereafter, the husband of



the informant had arrived and tried to save the informant. However, the co-accused Chhotan Yadav called his accomplice, whereafter, the accused persons including the petitioner herein came, variously armed and started assaulting the husband of the informant. As far as the petitioner is concerned, he has, admittedly, assaulted the husband of the informant on his hands with the hand of the tube-well causing grievous injury and fracture on the hand of the husband of the informant.

The learned counsel for the petitioner submits that the petitioner is languishing in custody since 27.9.2018 and the other two co-accused persons have already been granted bail. It is further submitted that the petitioner is ready to abide by whatever conditions which may be imposed by this Court for the purposes of grant of regular bail.

Having regard to the facts and circumstances of the case, more particularly the fact that the other two co-accused persons have already been granted bail and the petitioner is languishing in custody since about 11 months, I deem it fit and proper to direct for release the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate, Khagaria
in connection with Alauli P.S. Case No. 276 of 2018.

It is further directed that the petitioner would mark his
attendance before the Officer-in-Charge of the concerned police
station at 10:00 am. on each Monday of the week and in the
event of two consecutive defaults, the present privilege of the
regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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