

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25461 of 2019

Arising Out of PS. Case No.-525 Year-2018 Thana- SHERGHATI District- Gaya

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KAILASH YADAV Son of Lala Yadav, Resident of Village- Fazlaha, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-04-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 25.01.2019 in Criminal Miscellaneous No. 80456 of 2018 with liberty to renew his prayer for bail after framing of charge.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 504, 506, 324, 307 and 34 of the Indian Penal Code.

Informant has alleged in her written complaint that on 17.09.2018, petitioner along with other co-accused in drunken state abused the informant and on protest made by Raj Kumar Yadav, wife of petitioner, Kailash Yadav pelted bricks causing injury to Raj Kumar Yadav and other co-accused also damaged the house of the informant. Kailash Yadav inflicted Tangi blow to the son of informant namely Randhir Kumar upon his head



causing three fracture injuries and petitioner also inflicted khanti blow upon him causing injury on his nose.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. Petitioner has got no criminal antecedent and is in custody since 19.09.2018. Learned counsel for the petitioner further submits that petitioner was granted liberty to renew his prayer for bail after framing of charge and charge has been framed against the petitioner on 18.03.2019.

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 **Sessions Trial No. 70 of 2019/ 137 of 2019 (arising out of Sherghati P.S. Case No. 525 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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