

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38675 of 2019

Arising Out of PS. Case No.-329 Year-2018 Thana- MIRGANJ District- Gopalganj

CHHOTE LAL YADAV Son of Late Vikarama Yadav Resident of Mohalla-
Bhagirathi, P.S.- Mirganj, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 379, 354, 448, 504 of the Indian Penal Code in which section 302 IPC was added later on.

The prosecution allegation in short is that the accused persons, variously armed, brutally assaulted the informant and his uncle and later in course of treatment the uncle of the informant died in hospital.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.11.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. As per F.I.R., general and omnibus allegation has been made against the three accused persons for assaulting the deceased including the petitioner. The informant in course of investigation, in his restatement, has not named the petitioner. The wife of the deceased who was injured in course of occurrence has also not named the petitioner and other witness who was present at the time of occurrence has also not named the petitioner. The statement of these witnesses are recorded in paragraph nos. 3, 8 and 32 of the case diary.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Gopalganj in connection with Sessions Trial No. 129 of 2019 arising out of Mirganj P.S. Case No. 329 of 2018.

(Sudhir Singh, J)

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