

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78578 of 2018

Arising Out of PS. Case No.-90 Year-2018 Thana- BALIYA District- Begusarai

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Bilash Yadav, s/o Chaudhry Yadav, R/o Village, Janipur, Navtoliya, P.S.
Ballia, Dist. Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Ballia P.S. Case No. 90/2018
registered for the offence punishable under Sections 302/34 of
the Indian Penal Code.

Informant in her written report has stated that on
10.04.2018 at about 12 Noon, quarrel started between Rohit
Thakur and Choudhary Yadav due to damage of maize plant,
and when Lukho Thakur came to materialize the matter then
Choudhary Yadav, Jatan Yadav, Rajaram Yadav, Bilash Yadav,
Lalita Devi, Ganita Devi, Shobha Kumari, Komal Yadav, Komal
Kumari variously armed with lathi, danda, bricks came and
started assaulting Lukho Thakur, on account of which he died.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It has



been submitted that there is no allegation of any specific overt act against the petitioner. It has further been submitted that there is general and omnibus allegation against the petitioner. Similarly placed co-accused persons have already been granted bail as contained in Annexure 2 series. Petitioner has no criminal antecedent and he is in custody since 06.11.2018.

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 C.J.M., Begusarai in connection with Ballia P.S. Case No. 90/2018, 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 absence on two consecutive dates without sufficient reason, his 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)

Sanjay/-

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