

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66423 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- DUMARIYA District- Gaya

1. RAJENDRA YADAV S/o Dev Narayan Yadav Resident of Village- Adarchak, P.S.- Dumaria, District- Gaya, Bihar.
2. Dev Narayan Yadav S/o Late Mithu Yadav Resident of Village- Adarchak, P.S.- Dumaria, District- Gaya, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Dumariya P.S. Case No. 45/2018 registered under Sections 147, 148, 149, 302, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case as eleven persons have been named in the first information report, they were assaulted the wife of the informant by various means and only one injury was found in the post mortem examination report, petitioners are in custody since 28.05.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein although eleven persons have been named in the first information report alleging that they have jointly assaulted the



wife of the informant through various means but in the post-mortem report only one injury was found and that similarly situated co-accused have been granted privilege of regular by learned coordinate Bench of this court, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sherghati (Gaya), in connection with Dumariya P.S. Case No. 45/2018, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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