

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68823 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- CHANDI District- Nalanda

Nandu Yadav Son of Krishna Yadav Resident of Village- Kesaura, P.S.-
Chandi, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar
For the Opposite Party : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Chandi P. S. Case No. 116 of 2019** instituted for the offence under Section(s) 147,148,149,302, 120B and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner's counsel submits that there is no any allegation of specific overt act against this petitioner.

The prosecution alleges that on the orders of Kamlesh Yadav and Akhlesh Yadav, Nandlesh Yadav made firing with rifle which hit on the chest of father-in-law of informant, on account of which, he fell down and died in the way while being taken for treatment.

It is submitted by the petitioner's counsel that in the



postmortem report doctor has found one entry wound on the chest. Photo copy of postmortem report has been annexed as Annexure-2 to instant petition.

From the First Information Report itself, it appears that petitioner is only alleged to be member of unlawful assembly and has no criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Petitioner is in custody since 17.08.2019 and charge sheet has been submitted.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **ACJM Ist Hilsa, Nalanda**, in connection with **Chandi P. S. Case No. 116 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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