

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78422 of 2018**

Arising Out of PS. Case No.-542 Year-2018 Thana- KHAGARIA District- Khagaria

Naresh Yadav, Son of Kiro Yadav, Vill-Belahi (Morkahi) Hathwan, P.S-Alauli  
Dist.-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raja Surendra Mohan

For the Opposite Party/s : Mr.Sri Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      22-02-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Khagaria P.S. Case No. 542 of 2018** registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant who is the son of the deceased has alleged in his written complaint that petitioner along with FIR named accused and two other accused killed his father by firing upon him, when he was in the Ghee shop of Arun Singh and thereafter all the accused persons including petitioner fled away on motorcycles.

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



land dispute. There is no specific allegation against the petitioner of firing upon the deceased. Specific allegation of firing is on co-accused Rajesh Yadav and Pappu Yadav. He is in custody since 01.11.2018.

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 **Chief Judicial Magistrate, Khagaria**, in connection with **Khagaria P.S. Case No. 542 of 2018 (G.R. No. 2223 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 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)**

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