

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34822 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- RAJNAGAR District- Madhubani

1. SIYA RAM YADAV Son of Late Ramautar Yadav Resident of Village - Rati, P.S.- Rajnagar, District - Madhubani.
2. Daya Ram Yadav @ Duniya Yadav @ Duniya Ram Yadav Son of Late Ramautar Yadav Resident of Village - Rati, P.S.- Rajnagar, District - Madhubani.
3. Rambahadur Yadav Son of Satyanaran Yadav Resident of Village - Rati, P.S.- Rajnagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, at the alleged date and time of occurrence co-accused, Ramesh Yadav, Rajesh Yadav and Rambahadur Yadav came and abused the informant. It is further alleged that co-accused Ramesh Yadav assaulted the informant with Farsa on his head and co-accused, Bhavesh Yadav assaulted him with Lathi on his hand. When Shatrudhan



Yadav, brother of informant, came to save he was also assaulted by the accused persons. On alarm, when villagers came to save, co-accused Ganga Ram Yadav, Siya Ram Yadav, Dayaram Yadav and Ram Bahadur Yadav also assaulted them. Shatrudhan Yadav died on 31.08.2020 during the course of treatment.

Learned counsel appearing for the petitioners submits that there is general and omnibus allegation of assault against these petitioners. There is case and counter case between the parties and Siyaram Yadav, petitioner No.1, filed Rajnagar P.S. case No. 243/2020 against the informant and others. Petitioners are in custody since 11.11.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, 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 Additional Chief Judicial Magistrate-I, Madhubani in connection with Rajnagar PS case No. 237/2020 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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