

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19438 of 2015

Arising Out of PS.Case No. -392 Year- 2014 Thana -AURANGABAD TOWN District-
AURANGABAD

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Durga Yadav S/O Rajendra Prasad Yadav, Resident of village- Chatra,
P.O.- Choriya, P.S.- Phesar, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-07-2015 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is languishing in custody since 31.12.2015 in connection with Aurangabad Town P.S. Case No. 392 of 2014 registered under sections 302 and 120-B IPC and section 27 of the Arms Act on the strength of the FIR lodged by the brother of the deceased. The prosecution case in brief is that co accused Ranju Devi was allegedly having illicit relationship with the deceased. On the date of occurrence he was called on phone by Ranju Devi whereafter the deceased went to her house but did not return.

It is stated that the petitioner is not named in the FIR. One Subhash Singh made confessional statement naming the petitioner. It is stated that except circumstantial evidence there is

no material implicating the petitioner in the crime. The co accused Subhash Singh has since been released on bail vide order dated 20.05.2015 passed in Cr. Misc. No 14237 of 2015 web copy whereof has been handed in by the counsel for the petitioner which is marked as 'Y' for identification.

Considering the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned CJM, Auragabad in Aurangabad Town P.S. Case No. 392 of 2014 on condition that one of the bailors shall be own/close family member of the petitioner. As soon as the charges are framed, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

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