

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46088 of 2014

Arising Out of PS.Case No. -214 Year- 2014 Thana -BARACHATTI District- GAYA

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1. Birendra Yadav S/o Late Lakhan Yadav resident of village- Pareya, P.S.-
Barachatty, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 06-05-2015 Supplementary affidavit is filed on behalf of the

petitioner.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as also heard learned

counsel, appearing for the informant.

The petitioner is named in the first information

report but admittedly, none has seen the petitioner taking away the

boy or throwing the dead body of the deceased in the well.

The suspicion has been raised against the petitioner

on the ground that prior to the alleged occurrence, he was present

near the deceased and in course of investigation, some witnesses

stated that the petitioner had demanded extortion money from the

informant.

Learned counsel appearing for the petitioner drew

my attention towards paragraphs-17 & 18 of the case diary and

submitted that prior to institution of this case, the informant gave a Sanha to the concerned police station but he did not mention about the presence of the petitioner on the place of occurrence at the time of alleged occurrence.

Learned counsel, appearing for the informant submits that it is a case of circumstantial evidence and the petitioner carries criminal antecedent of several cases but the same was suppressed at the time of filing of this petition.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barachatti P.S. Case No. 214 of 2014 to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati at Gaya subject to condition that the petitioner shall attend the trial court, in person, on each and every date till framing of charge and if, he fails to do so, on two consecutive dates without any reasonable explanation, the concerned court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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