

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4977 of 2015

Arising Out of PS.Case No. -251 Year- 2013 Thana -BAKHTIYARPUR District- PATNA

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1. Ravindra Yadav Son of Sri Sitab Rai Resident of vill-Abu
Mohammadpur,P.S-Bakkhtiyarpur,Distt.-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Bhola Kumar

For the Opposite Party/s : Mr. A. B. Ojha, Sr. Advocate
Mr. Bharast Bhushan, Advocate
Mr. Shyam Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 251 of 2013 registered for the offence
punishable under Sections 302, 201/120B of the Indian Penal
Code

Allegedly, the son of the informant went with one
Dharmraj Rai on 9.11.2013 from his house on motorcycle and
then the brother of the informant saw the petitioner also boarded
with Dharmraj Yadav going towards station chouk. Neighbour of
the informant also disclosed that he saw the petitioner and



Dharmraj while they were talking in front of his house. Earlier also threat was caused by the petitioner and others to kill the son of the informant. Thereafter, the informant started searching his son and came to know that dead body of his son has been found thrown on the railway track and accordingly, the FIR has been lodged that the petitioner and others have killed his son due to land dispute and previous enmity.

Submission is of false implication and that there is no cogent and legal evidence in the entire case diary. Impugned order refers so many paragraphs but in those paragraphs there is nothing against the petitioner. The Police after investigation has already submitted chargesheet and there is no chance of tampering with the prosecution evidence. There is no direct evidence nor the petitioner was last seen with the deceased.

Learned APP duly assisted by the learned counsel for the informant oppose the prayer for bail by submitting that the petitioner has got criminal antecedent and he was seen with Dharmraj Yadav on motorcycle and Dharmraj Yadav has taken away the son of the informant.

In the facts and circumstances stated above and considering that in this case chargesheet has already been submitted and there is no chance of tampering with the

prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh in connection with Bakhtiyarpur P.S. Case No. 251 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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