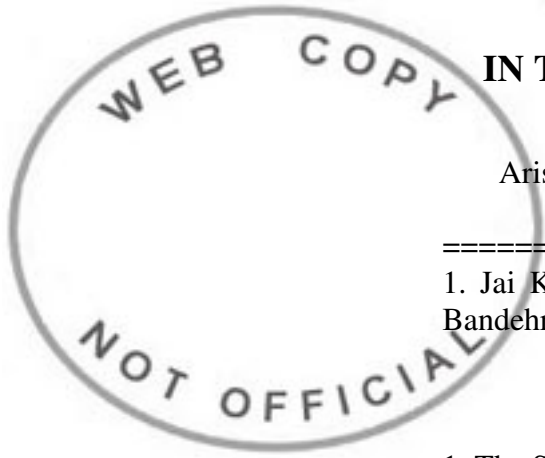




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44867 of 2014

Arising Out of Pasraha PS.Case No. 42 of 2014 Thana -PASRAHA
District- KHAGARIA

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1. Jai Kishore Yadav Son of Late Ramdhari Yadav, resident of Village-
Bandehera, P.S.- Pasraha, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bindkeshri Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 , APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

3 03-03-2015 This is an application, made under Section 439 of the

Code of Criminal Procedure, seeking bail for the accused-

petitioner, namely, Jai Kishore Yadav, in connection with Pasraha

P.S.Case No. 42 of 2014 under Sections 302/34 of the Indian

Penal Code and Section 27 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Bindkeshri Singh, learned counsel for the

petitioner, and Mr. J.K.Singh, learned Additional Public

Prosecutor, appearing on behalf of the State.

Though it has been submitted that two of the sons of the

accused, who were allegedly involved in the present case, have

been absconding, nothing could be submitted, on behalf of the prosecution or the informant, to show that the accused above-named will not be available for trial and/or that his release on bail will be adversely affected the trial.

In view of the fact that the accused above-named has been in custody since 27.5.2014 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Khagaria. This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

It is however, made clear that if the learned trial Court finds necessary, the trial of the accused above-named is split up and shall be expeditiously disposed of inasmuch accused above-named is claimed to be aged about 72 years.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I. A. Ansari, J)

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