

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15001 of 2015

Arising Out of PS.Case No. -7 Year- 2009 Thana -DHIBRA District- AURANGABAD

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Madan Yadav @ Madfan Yadav S/o Rambaran Yadav resident of Village -
Dulare, P.S. - Dibra, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 18-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
19.02.2015 in a case registered for the offences punishable under
Sections 302, 201, 120B/34 of the Indian Penal Code and 17 of
Criminal Law Amendment Act.

The prosecution case is that the informant
was sitting with his brother at the door when the accused persons
including the petitioner took the brother of the informant and
subsequently killed him.

It is submitted by learned counsel for the
petitioner that the accusation is omnibus and general. As per the
own admission of the informant he is not eye witness to the actual

occurrence. On recovery of the dead body the FIR was registered and only on suspicion the petitioner has been roped in as a conspirator. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent and investigation has already concluded when co-accused Vikash Yadav, Vijay Yadav Son of Udhochand Yadav and Vijay Yadav Son of Udho Chandar Yadav have been granted bail vide Cr. Misc. Nos. 40258 of 2012, 29441 of 2010 and 11623 of 2010.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Dhibra P.S. Case No. 07 of 2009.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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