

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7102 of 2015

Arising Out of PS.Case No. -22 Year- 2013 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Banti Yadav @ Mani Shankar Yadav Son of Dilip Yadav Resident of
village - Bhawanipur, P.S. Singheshwar District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Singheshwar P.S. Case
No. 22 of 2013 dated 12.03.2013 instituted under Sections
302/201 of the Indian Penal Code.

This is the second attempt of the petitioner as his
earlier prayer for bail was rejected on 27.06.2014 in Cr. Misc. No.
8530 of 2014.

The petitioner was granted provisional bail on
04.03.2015 in view of marriage of his sister and had to surrender
latest by 1st April, 2015. In compliance of the same, he has

surrendered on 1st April, 2015, as it appears from copy of the ordersheet which has been filed as annexure-4 to the supplementary affidavit.

Learned counsel for the petitioner submits that the petitioner is a student and has been accused only on the basis of suspicion raised by some witnesses about his complicity and the mobile was recovered from another person. It is submitted that neither was he caught at the spot nor was named in the F.I.R. and all the eight witnesses who have been examined including the wife of the deceased, have not taken his name and only because of suspicion, he has earlier been languishing in jail since 30.11.2013 having no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Madhepura in Singheshwar P.S. Case No. 22 of 2013 corresponding to Sessions Trial No. 82 of 2014. One of the bailors shall be the father of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he

shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Anjani/-

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