

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49992 of 2015

Arising Out of PS.Case No. -323 Year- 2013 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Mantu Yadav S/o Jhulan Yadav, R/o Vill. - Manjhariya (Braha Toal),
P.s. - Manjhagarh, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gopalganj
Town P.S. Case No. 323 of 2013 registered for the offences
punishable under Sections 364, 365, 364A of the Indian Penal
Code and Section 27 of the Arms Act.

The petitioner is not named in the FIR and his name
transpires in the confessional statement of co-accused Ranjan
Yadav and that Ranjan Yadav has already been acquitted in the
trial as the victim who has been examined as prosecution witness
no. 2 in paragraph 5 of his deposition stated that he could not
identify the accused persons due to darkness. Other co-accused in
this case have been allowed bail by different Benches of this Court

and as such the petitioner who is suffering in custody since 04.08.2015 deserves sympathetic consideration to which learned APP does not oppose.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 323 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.

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(Jitendra Mohan Sharma, J)

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