

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48843 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -BHAGWANGANJ District- PATNA

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Shyamdeo Yadav @ Shyam Deo Singh Son of Deo Bachan Yadav resident
of Village Nadawana P.s Bhagwanganj District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
: Mr. A.K. Thakur
For the Opposite Party/s : Mr. M. RAB (App)

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

3 28-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Bhagwanganj, P.S. Case No. 16 of 2015 registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

Allegedly, Ram Bilas Thakur the husband of the
informant was killed and his dead body was found lying about 100
yards away from the Bhatti of the petitioner. It is claimed that the
petitioner and other co-accused having enmity with the husband of
the informant due to none cutting of hair and shave they have
killed her husband and conceal the dead body.

Submission is of false implication and that the there

is no eye witness of the alleged occurrence and merely on the basis of suspicion and enmity the petitioner and others have been roped, the petitioner has got no concern with the deceased and without any legal and cogent evidence he is suffering in custody since 31.3.2015 to which the learned A.P.P. opposes by submitting that co-accused Gopi yadav has confessed his guilt also.

In the facts and circumstances stated above, considering that there is no direct evidence against the petitioner charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such the petitioner 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 Judicial Magistrate 1st Class, Masaurhi in connection with Bhagwanganj P.S. Case No. 16 of 2015, subject to the conditions that one of the bailors must be 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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