

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51217 of 2015

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Chanar Yadav @ Chandar Yadav @ Chandradeo Yadav, son of Mangal Yadav, resident of village- Rajaur, P.S.- Garhpura, District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Pushpa Sinha-II(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Garhpura P.S. Case No. 81 of 2014 registered for the offences punishable under Sections 364, 302 and 201 of the Indian Penal Code.

Allegedly, in the evening of 15.08.2014 Rahul Kumar @ Paua, son of informant became traceless and on 19.08.2014 the dead body of a boy was found and from T-shirt and half pant, the dead body was identified as Rahul Kumar @ Paua. During investigation the name of the petitioner transpires in the statement of the mother of the deceased that Kailasiya Devi has taken away the son and petitioner and Kailasiya Devi after killing the son of informant threw the dead body.

Submission is of false implication and that the petitioner or his mother Kailasiya Devi is not named in First

Information Report and thereafter after four months the mother of the deceased named the petitioner and his mother, which is not reliable, the mother of the petitioner has already been allowed pre arrest bail by another coordinate bench of this Court vide Cr. Misc. No. 51234 of 2015 and as such the petitioner also deserves sympathetic consideration to which the learned A.P.P. fairly submits that save and except the statement made by the mother of victim boy vide para-51 of the case diary, there is no further cogent material on record.

In the facts and circumstances stated above, the petitioner named above is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Garhpura P.S. Case No. 81 of 2014, subject to 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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