

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21106 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -SHERGHATI District- GAYA

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1. Kishun Yadav son of Late Manger Yadav, resident of village- Regania
Tar, P.S.- Barachatti, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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

3 01-07-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

Allegedly, the dead body of Chedi Yadav, the father
of the informant, was recovered from a plastic bag near the west of
Dhirja bridge and the petitioner and others have been named to
have killed the father of the informant due to the land dispute.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner, the informant is
not an eye witness, during investigation also no eye witness has
come forward to state regarding the actual killing and further no
one has seen the petitioner in the company of the deceased before

his death who is aged about 63 years and as such the petitioner who is suffering in custody since 12.03.2016 having no criminal antecedent deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Sherghati, Gaya in Sherghati (Dobhi) P.S. Case No. 138 of 2015, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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