

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49248 of 2016

Arising Out of PS.Case No. -197 Year- 2014 Thana -KHAGARIA District- KHAGARIA

1. Manoj Yadav Son of Bahadur Yadav Resident of Village- Mathar Police Station- Khagaria (Muffasil), District- Khagaria..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-11-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 23.11.2015 passed in Cr. Misc. No. 34802 of 2015, on the ground that similarly situated co-accused Bhola Yadav has been allowed bail vide order dated 20.10.2016 passed in Cr. Misc. No. 39428 of 2016 by another co-ordinate Bench of this Court as the prosecution story appears not probable and reliable and in presence of all the family members such type of crime cannot be committed and further both the persons who have been shown to be kidnapped by the accused persons, in real fact, were arrested in connection with two separate cases and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that co-accused Bhola Yadav

having similar allegation has been allowed bail.

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 Ist Additional Sessions Judge, Khagaria in Sessions Trial No. 100 of 2015 / Sessions Trial No. 290 of 2015 arising out of Khagaria (Muffasil) P.S. Case No. 197 of 2014, 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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