

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2762 of 2016

Arising Out of PS.Case No. -101 Year- 2005 Thana -JHAJHA District- JAMUI

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1. Nuneshwar Yadav @ Nand Kishore Yadav Son of Horil Yadav,
Resident of Village – Chai, P.S. - Jhajha, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Pd. Nut(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-03-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Nuneshwar Yadav @ Nand Kishore Yadav, in connection with Jhajha Police Station Case No. 101 of 2005, under Sections 302/201/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Umesh Prasad, learned Counsel for the petitioner, and Mr. Rajendra Prasad Nut, learned Additional Public Prosecutor, appearing on behalf of the State.

Considering the fact that the accused above-named has been in custody since 17.11.2014 in connection with the case aforementioned, the co-accused has already been acquitted by judgment and order, dated 12.11.2007, passed in Sessions Trial No.431 of 2005 and perusal of the materials available does not reveal such incriminating materials, which would warrant further

detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Sessions Judge, Jamui, in connection with S.T. No.364A of 2010, arising out of Jhajha Police Station Case No. 101 of 2005.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed. The petitioner will not leave the jurisdiction of learned Sessions Judge, Jamui.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ.)

Mkr./-

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