

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5141 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -GWALPARA District- MADHEPURA

1. Kundan Yadav S/o Satya Narain Yadav, Resident of village- Ramani,
P.S.- Murliganj, District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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

3 30-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Gwalpara P.S. Case No. 99 of 2015 registered for the offences
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

First Information Report is against unknown.
During investigation, it transpires that the petitioner has called
the deceased through his mobile and thereafter, the dead body of
Rekha Devi was recovered kept in bag and from call details of
mobile it also reveals that the petitioner has talked with the
deceased before her death.

Submission is of false implication and that besides

suspicion, there is nothing against the petitioner, there is no eye-witness of the occurrence, without any legal and tangible material the petitioner is suffering in custody since 30.11.2015. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. fairly submits that there is no direct evidence but there is circumstantial evidence.

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 II, learned Judicial Magistrate First Class, Uda-Kishunganj, Madhepura in connection with Gwalpara P.S. Case No. 99 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.

(Jitendra Mohan Sharma, J)

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