

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6749 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -KOTWALI District- MUNGER

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1. Sadanand Yadav son of Late Kallo Yadav Resident of Village - Mahuli,
P.S. - Muffasil, District - Munger..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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

ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned APP for
the Sate.

The petitioner seeks bail in connection with Kotwali
(Munger) P.S. Case No. 248 of 2015 registered for the offences
punishable under Sections 364, 120B of the Indian Penal Code.

Allegedly, co-accused Ganesh Sahani called Satish Kushwaha
and took away him to do the work of mason at the house of the
petitioner and thereafter, Satish Kumar Kushwaha was taken away
towards Diyara by the petitioner and others and it is alleged that earlier
the petitioner has caused threats to kill him. During investigation the
petitioner was arrested and he confessed his guilt disclosing the name
of his associates including Ganesh Sahani.

Submission is of false implication and that that Ganesh Sahani
as alleged had taken away the deceased and he disclosed the name of
the petitioner, the Police after adopting 3rd degree method has recorded
the confessional statement of the petitioner and besides confessional

statement there is nothing against the petitioner, statement of co-accused Ganesh Sahani is also of no relevance and further Ganesh Sahani has been admitted to bail vide Cr. Misc. No. 10885 of 2016 by another co-ordinate Bench of this Court and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 03.11.2015 having clean antecedent.

Learned APP opposes the prayer of bail by submitting that the petitioner has confessed his guilt.

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 Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 248 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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