

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22801 of 2016

Arising Out of PS.Case No. -401 Year- 2011 Thana -BIHPUR District- BHAGALPUR

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1. Navin Yadav Sonof Congress Yadav, Resident of Village- Narayanpur,
Police Station- Bhawanipur (Bihpur) District- Bhagalpur..... . Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sanjay Kr Sharma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Bihpur P.S.
Case No. 401 A of 2011 registered for the offences punishable
under Sections 364, 302, 201, 120B of the Indian Penal Code.

This case has been registered on the basis of complaint
petition with allegation that the petitioner and other co-accused
took away her son to Himachal Pradesh for providing job but later
on they committed murder of her son and during investigation the
petitioner has been apprehended.

Submission is of false implication and that in this case
similarly situated co-accused namely, Rajesh Yadav, Sadanand
Yadav and Nitish Yadav have already been allowed bail vide Cr.
Misc. No. 2460 of 2015 and 32237 of 2015, except suspicion there
is nothing against the petitioner and he is suffering in custody

since 29.01.2016.

Learned APP opposes the prayer of bail by submitting that co-accused has confessed his guilt.

In the facts and circumstances stated above, considering that similarly situated co-accused have already been allowed bail, 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 Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 401 (A) of 2011, 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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