

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50779 of 2016

Arising Out of PS.Case No. -187 Year- 2016 Thana -BELAGANJ District- GAYA

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Upendra Yadav, son of Late Janki Yadav, resident of Village Belipur, P.S.
Konch, District Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
06.07.2016 in connection with Belaganj P.S. Case No. 187/16
for offences punishable under Sections 302/ 34/ 120-B of the
Indian Penal Code and under Section 27 of the Arms Act.

The allegation is that petitioner and others in
conspiracy with each other killed the son of the informant to
grab the entire property situated at his *sasural*.

It has been submitted by the learned counsel
for the petitioner that he is innocent and has falsely been
implicated in the aforesaid case. He submits that there is no
motive, no enmity with the deceased and it is only on the basis
of suspicion that the petitioner has been named. He further

submits that there is land dispute between the other co-accused with the deceased, for which the informant has implicated the petitioner, petitioner has no criminal history and charge-sheet has already been submitted against him.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Perusal of the materials available does not reveal that the liberty of bail to the petitioner would adversely affect his trial. Hence, in the interest of justice, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-III, Gaya in connection with Belaganj P.S. Case No. 187/16.

This direction of bail is further subject to the condition that the accused petitioner 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 before the learned Court below as and when required.

With these observations and directions, the
application stands allowed.

(Nilu Agrawal, J.)

Rajesh/-

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