

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38219 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -VISHNUPAD District- GAYA

=====

1. AKHILESH YADAV @ AKHILESH KUMAR@ AHILESH YADAV
Son of Shiv Shankar Yadav @ Thakur Yadav Resident of Village- Khat ka
Chak, P.S.- Magadh Medical College & Hospital (MMCH), District- Gaya.
..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Shakib Ayaz

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

=====

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

ORAL ORDER

2 27-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Vishnupad
P.S. Case No. 05 of 2016 registered for the offence punishable
under Section 364 of the Indian Penal Code.

The petitioner is not named in the first information report
but his name transpired in the confessional statement of Ranjit
Paswan who was arrested with Scorpio vehicle.

Submission is of false implication and that besides
confessional statement of Ranjeet Paswan there is nothing against
the petitioner. Both the victims have already returned their home
and the petitioner is suffering in custody since 26.05.2016 but up-
till-now he has not been put on test identification parade,
chargesheet has already been submitted and there is no chance of

tampering with the prosecution evidence. Ranjeet Paswan has already been allowed bail vide Cr. Misc. No. 24169 of 2016 and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that co-accused Ranjeet Paswan has been allowed bail by another co-ordinate Bench of this Court.

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, Gaya in connection with Vishnupad P.S. Case No. 05 of 2016, 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)

avin/-

U		T	
---	--	---	--