

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46620 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -BHAGWANGANJ District- PATNA

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1. Gopi Yadav @ Gobindra Kumar Son of Feku Yadav @ Chandeshwar
Yadav Resident of village - Rohila Par, P.S. Bhagwanganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. L.K. Sharma (App)

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

ORAL ORDER

5 24-02-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

Allegedly, Ram Bilas Thakur, the husband of the
informant, was killed and his dead body was found lying hundred
yards away from the Bhatti of co-accused Shyam Deo Yadav. It is
claimed that the petitioner and another co-accused having enmity
with the husband of the informant due to non cutting of hair and
shaving they have killed her husband and concealed the dead
body.

Submission is of false implication and that there is no
eye witness of the alleged occurrence and merely on the basis of
suspicion and enmity the petitioner and others have been

implicated and without any legal and cogent material the petitioner is suffering in custody, whereas, co-accused Shyamdeo Yadav @ Shyam Deo Singh has been allowed bail vide Cr. Misc. No. 48843 of 2015.

The learned A.P.P. submits that the petitioner has confessed his guilt also.

In the facts and circumstances as stated above, considering that there is no direct evidence against the petitioner, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Masaurhi in Bhagwanganj P.S. Case No. 16 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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