

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57366 of 2015

Arising Out of PS.Case No. -124 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Rajesh Kumar Yadav Son of Shivji Yadav resident of village - Gonahi,
P.S. Patahi, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Siya Ram Yadav S/O Late Ram Sagarath Rai, R/O Gonahi, P.S. Patahi,
District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Pradip Narayan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-03-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

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

The petitioner is not named in the First Information
Report but during investigation his name transpired and
accordingly he has been charge sheeted.

Submission is of false implication and that in this
Criminal Miscellaneous filed on behalf of the petitioner the
informant is the deponent and the informant is of firm believe that
the petitioner has been falsely implicated only with a view to save
the real culprits. The learned counsel for the informant is also

present and he supports that the petitioner is innocent.

The learned A.P.P. submits that during investigation the name of the petitioner transpired that he was involved in the killing of son of the informant and accordingly he has been charge sheeted.

In the facts and circumstances as stated above, considering that the informant is not supporting the allegation against the petitioner and further the charge sheet has already been submitted against the petitioner 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 A.C.J.M. VIII, East Champaran at Motihari in Patahi P.S. Case No. 124 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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