

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22478 of 2017

Arising Out of PS.Case No. -131 Year- 2009 Thana -SALKHUA District- SAHARSA

=====

1. Kajal Yadav Son of Satto Yadav, Resident of Village- Dhanoja, P.S.- Mahishi , District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Umeshnand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with S.T.No.210 of 2016 Corresponding to Salkhua P.S.Case No.131 of 2009 registered for offences punishable under Sections 147, 148, 149, 302, 201 & 120B of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is named in the F.I.R. and the allegation against him is that he along with the other co-accused persons caused murder of the deceased.

It is submitted on behalf of the petitioner that no specific allegation has been attributed against the petitioner and almost all the co-accused persons have been granted bail by this Court, vide order dated 17.3.2011 passed in Cr. Misc. No.39494 of 2011,



order dated 15.11.2011 passed in Cr. Misc. No.35941 of 2011, order dated 12.10.2010 passed in Cr. Misc. No.33925 of 2010, order dated 22.6.2010 passed in Cr. Misc. No.6566 of 2010, order dated 30.4.2010 passed in cr. Misc. No.44147 of 2009, order dated 28.10.2010 passed in Cr. Misc. No.31892 of 2010, order dated 29.3.2012 passed in Cr. Misc. No.37386 of 2011, order dated 26.3.2011 passed in Cr. Misc. No.5708 of 2011 and order dated 22.6.2010 passed in Cr. Misc. No.11269 of 2010 & Cr. Misc. No.12487 of 2010. The petitioner is in custody for about five months. The charge has been framed in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the other co-accused persons have already been granted bail by this Court and further the charge has been framed in this case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge at Saharsa in connection with S.T.No.210 of 2016, Corresponding to Salkhua P.S.Case No.131 of 2009.

With following conditions :

- (i) One of the bailors of the petitioner shall be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned court.



- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

