

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17057 of 2017

Arising Out of PS.Case No. -134 Year- 2015 Thana -LAUKHI District- MADHUBANI

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1. Devendra Yadav @ Devendra Prasad Yadav, Son of Shri Bauku Yadav,
Resident of Village- Bishanpur, P.S.- Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Laukahi
P.S.Case No.134 of 2015 registered for offences punishable under
Sections 302 & 34 of the Indian Penal Code.

The petitioner is named in the F.I.R. and there is allegation
that the petitioner along with others is caused death of the
deceased.

Submission of the learned counsel for the petitioner is that
whatever motive is there, that is against the co-accused, Rasik
Lal. Apart from that there is no eye witness of the occurrence to
show that the petitioner along with others has killed the deceased
and only on the basis of village rivalry, he has been implicated in
this case and he is in custody since 10.9.2016.

Heard learned A.P.P. also, who has opposed the prayer for
bail and drawn my attention towards para 12, 20, 27 and 90 of the



case diary, however, from perusal of the F.I.R. as well as aforesaid paragraph, it appears that no one is eye witness of the occurrence and the motive is against the co-accused.

Having heard both sides and considering above facts, 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 A.C.J.M., Jhanjharpur, Madhubani in connection with Laukahi P.S.Case No.134 of 2015 dated 1.8.2015.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person 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)

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