

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18167 of 2017

Arising Out of PS.Case No. -116 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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1. Prince Kumar @ Dablu Yadav, Son of Nand Kishore Yadav, resident of
Village- Barsam, Police Station- Sourbazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Madhepura P.S.Case No.116 (S)14, registered for offences
punishable under Sections 302/34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. It appears that the
name of the petitioner has transpired during the course of
investigation of the case.

Submission of the learned counsel for the petitioner is that
except confessional statement of the co-accused, there is nothing
against the petitioner and he is in custody since 5.5.2015.

Heard learned A.P.P. also, who could not controverted the
above facts.

Having heard both sides, no doubt there are several cases



against this petitioner, which appears from para 3 of the petition. So far this case is concerned except confessional statement, there is nothing against this petitioner and he is in custody for more than two months and submission of the learned counsel for the petitioner is that trial has not commenced.

In such view of the matter, 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 C.J.M., Madhepura in connection with Madhepura P.S.Case No.116(S) of 2014.

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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