

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42491 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -AMAS District- GAYA

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Mantu Yadav Son of Chhatari Yadav, R/o Village- Kusha, P.s.- Amas,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Ramchandra Sahani, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2017 Heard learned counsels for the petitioner, informant
and learned counsel for the State.

The petitioner is languishing in custody since
01.03.2017 in connection with Amas P.S. Case No. 41/17
registered for the offences instituted under Sections 302/34 of the
IPC.

The prosecution story, in brief, is that the petitioner
and others committed the murder of informant's father, Laxmi
Yadav by strangulating him by rope.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 01.03.2017. He has
got no criminal antecedent. The charge sheet has been submitted
in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. He is not named in the F.I.R. His name has come on the basis of confessional statement of the co-accused. In paragraph no. 14 of the case diary, witness, namely, Ramswaroop Yadav, claimed to have seen the occurrence which is said to have taken place at 11.00 P.M. in the night but he has not disclosed source of identification. Hence his statement can not be relied upon. The other co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 24473/2017 dated 06.07.2017.

It has been submitted by learned counsels for the State and the informant that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Sherghati, Gaya, in connection with Amas P.S. Case No. 41/17.

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(Sudhir Singh, J)