

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47651 of 2017

Arising Out of PS. Case No.-144 Year-2015 Thana- SITAMARHI District- Sitamarhi

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Dilip Kumar Yadav, Son of Dharmnath Yadav @ Dharmnath Rai Resident of
village- Birta Tole, P.S.- Kusmari, P.S.- Ghorasahan, District- East Champaran
at Motihari. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 16-10-2017 Heard the counsel for the petitioner and Mr. Dayal, APP,
for the State.

Petitioner prays for bail in Sessions Trial No. 272 of 2015
(arising out of Sitamarhi P.S. Case No. 144 of 2015 registered
under Sections 302/34 of the IPC.

The informant received information about his brother lying
in an injured condition. He carried his brother to the hospital
where he was found dead. Learned counsel submits that there is
no eye witness to the occurrence. Based on circumstances, the
petitioner has been implicated in the case. On secret
information, several days after the incident, house of Laxman
Mahto was searched wherefrom the petitioner and five other
accused were arrested. They were hauled up under substantive
case registered under Sections 399 and 402 of the IPC. Later,
they were remanded to the present case. Referring to the orders



appended as Annexure-2 series, it has been submitted that several of them have been granted bail. Petitioner is in custody since 19.03.2015.

Under the circumstances, let the petitioner abovenamed be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Sitamarhi in Sessions Trial No. 272 of 2015 (arising out of Sitamarhi P.S. Case No. 144 of 2015) subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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