

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13926 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Chandan Yadav Son of Late Kishore Yadav, Resident of Village-
Sathatta, P.S.- Alauli, District- Khagaria,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Bibhutipur P.S.Case No.123 of 2016 registered for offences punishable under Sections 363, 364 & 302, 120(B)/34 of the Indian Penal Code.

The petitioner is named in the F.I.R. and the allegation against the petitioner and other accused persons is that they had taken the deceased along with them.

It is submitted on behalf of the petitioner that the petitioner is named in the F.I.R. and later on it has also come that the accused persons had taken him at the house of Ramashish Sahni and Sarsawati Devi but in the case diary name of petitioner has not been mentioned as the person who has taken the deceased and other accused persons and except that there is nothing against the petitioner. The petitioner has clean antecedent and remained in



custody for about five months.

Heard learned A.P.P. also, who could not controvert the above submissions of the learned counsel for the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, 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. IV, Rosera in connection with Bibhutipur P.S.Case No.123 of 2016 (G.R.No.520 of 2016).

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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