

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55779 of 2016

Arising Out of PS.Case No. -289 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

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Panchu Yadav, Son of Late Chalitar Yadav, resident of Village-
Bhawanipur, Police Station- Gopalpur, (Rangra), District- Bhagalpur.

... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gopalpur
P.S. Case No. 289 of 2015 registered for the offences punishable
under Sections 302, 201, 120B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

On behalf of the petitioner it is submitted that the
petitioner has been made accused only on suspicion. During
investigation also only it has come that the deceased had gone
with one co-accused Bedo Yadav. With Bedo Yadav there was
some animosity of the deceased. Besides that no other material has
come during investigation also and in this case similarly situated
co-accused Govind Yadav has been allowed regular bail by
another co-ordinate Bench of this Court and further Pintu @



Prashant Yadav has been allowed regular bail by the court below itself in the light of observation of this Court.

Learned APP opposes the prayer of bail but he is not in a position to distinguish the case of the petitioner from that of co-accused Govind Yadav and Pintu @ Prashant Yadav.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 289 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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