

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4414 of 2017

Arising Out of PS.Case No. -440 Year- 2002 Thana -KADAMKUAN District- PATNA

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Krishna Yadav, Son of Late Jallu Yadav, Resident of Village – Hasanpura,
P.S.- Bhagwanganj, District – Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan Singh.

Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 02-03-2017 The petitioner is in custody since 20.06.2016 in connection with Kadamkuan (Kankarbagh) P.S. Case No. 440 of 2002, registered for offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there nothing has come against the petitioner in the entire case diary and he has not been apprehended on spot but later on he was arrested on 24.06.2016. However, the daughter of the deceased, who was present at the time of occurrence has not stated anything about this petitioner in her statement recorded under Section 164 of the Cr.P.C. Petitioner has clean antecedent and has been languishing in judicial custody since 20.06.2016.

Learned counsel for the State also could not controvert the above submissions of learned counsel for the petitioner.

Having heard both sides, in view of the facts and except suspicion, there is nothing against the petitioner and he has been in judicial custody since 20.06.2016, let the petitioner above



named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Patna in connection with Kadamkuan (Kankarbagh) P.S. Case No. 440 of 2002, 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 cooperate 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.

(Vinod Kumar Sinha, J)

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