

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45062 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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Chandra Mohan Yadav @ Bantu @ Raju son of Sri Ramautar Yadav
resident of Village- Kasmerar, Police Station Khajauli, District- Madhubani.
.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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

ORAL ORDER

4 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 08.02.2016 passed in Cr. Misc. No. 53759 of 2015, on the ground that the petitioner is suffering in custody since 11.03.2015, there is no direct evidence against the petitioner, the Indigo Car was recovered from the premises of N.M.C.H., co-accused Raj Kumar Yadav has been allowed bail by the learned court below itself and he also confessed his guilt, now the stage of the case has been changed as charges have been framed and the case is pending for prosecution evidence as such the petitioner deserves sympathetic consideration as there is no allegation of tampering with prosecution evidence.

Learned APP opposes the prayer of bail but fairly submits



that co-accused has been allowed bail by the court below itself.

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 Sri R. Kumar Bharti, J. M. Ist Class, Patna in connection with Budha Colony P.S. Case No. 56 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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