

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48100 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -WAJIRGANJ District- GAYA

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1. Chhotu Yadav @ Chhotelal Yadav Son of Jhaman Yadav Resident of Village -Dumaria Tapsa, P.S- Fatehpur, at District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Vikash Sharma Son of Late Karu Mistry Resident of Village -Tapsa, P.S - Fatehpur, Distt- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 364, 302 and 201 of the Indian Penal Code in connection with Wazirganj (Tankuppa) P.S. Case No. 08/2016.

It has been submitted on behalf of the petitioner that there is delay of more than one month in lodging the FIR without any explanation. The allegation against the petitioner is that he took the nephew of the informant with him and except this there is no material available on record. There is no eye-witness of the occurrence. The petitioner is in custody since 14.08.2016.

Heard learned Additional Public Prosecutor also.



Having heard both sides, in view of the facts that there is inordinate delay in lodging of FIR and except that the deceased was last seen with the petitioner, there is nothing against him, 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 the learned Judicial Magistrate 1st Class, Gaya in connection with Wazirganj (Tankuppa) P.S. Case No. 8/2016, subject to conditions that one of the bailors should be relative of the petitioners and another having sufficient immovable property within the jurisdiction of the court below with further condition that he will co-operate in disposal of the trial and will make himself available before the court and failure to appear on two consecutive dates without any appropriate reason will be liable for cancellation of his bail.

(Vinod Kumar Sinha, J)

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