

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5811 of 2017

Arising Out of PS.Case No. -131 Year- 2014 Thana -JHAJHA District- JAMUI

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1. Kali Yadav Son of Tejo Yadav Resident of Village Banjama, P.S. Jhajha,
Distt. Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-03-2017 Heard the parties.

This application has been filed in connection with S.T.
No.51 of 2016 arising out of Jhajha P.S.case No.131 of 2014 for
the offence under Sections 302,120 B of the Indian Penal Code
and 27 of the Arms Act.

It is submitted on behalf of the petitioner that except the
suspicion that too on the basis confessional statement of the other
co-accused persons before the Police, name of the petitioner
transpires in the case and he is in custody for about two years. In
this case, a report has also been received from the learned court
below, which also shows that the charge has been framed one year
ago but up-till-now even not a single witness has been examined
in this case.



Heard learned A.P.P. also.

Having heard both sides. In view of the fact that except suspicion, there is nothing against the petitioner and in spite of the charge being framed one year ago, up-till-now even not a single witness has been examined, as such, 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 Learned 2nd Addl. Sessions Judge, Jamui in connection with S.T.No.51 of 2016 arising out of Jhajha P.S.Case No.131 of 2014.

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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