

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47960 of 2017

Arising Out of PS.Case No. -314 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Rajesh Kumar Yadav @ Rajesh Yadav Son of Sri Manager Yadav @ Sri Suresh Yadav, R/o Village- Nakdahiya, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Nautan P.S.
Case No. 314 of 2015 for offences punishable under Sections 302,
201,120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her son Rahul Ram went away with co-accused Dipak Ram,
Rinku Ram and Bablu Patel and thereafter he was stabbed to death
and the towel of Dipak Ram was found on his neck.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and has been falsely implicated in the aforesaid case only on the basis of confessional statement of co-accused Dipak Ram and Birbal Yadav. He submits that co-accused Dipak Ram and Rinku Ram have been granted privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 6115 of 2016 on 06.04.2016 and Cr. Misc. No. 48900 of 2016 on 10.02.2017 and even co-accused Birbal Yadav has also been granted privilege of bail by coordinate Bench of this Court in Cr. Misc. No. 39350 of 2016 on 01.03.2017. He further submits that except suspicion there is no other incriminating material against the petitioner and he is languishing in judicial custody since 21.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VI, West Champaran at Bettiah, in connection with Nautan P.S. Case No. 314 of 2015, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner



having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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