

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4273 of 2017

Arising Out of PS.Case No. -471 Year- 2015 Thana -WAJIRGANJ District- GAYA

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Kaila Yadav @ Vikram Yadav, Son of Ramothar Yadav, Resident of
Village- Lakauva, P.S.- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-03-2017 Heard the parties.

This application has been filed in connection with
Wazirganj P.S.Case No.471 of 2015 for the offence under
Sections 302, 307 & 34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the petitioner
is not named in the F.I.R. but later on his name transpired along
with other co-accused persons in course of the investigation of the
case. Even from perusal of the case diary, which has been called
for, it appears that nothing is mentioned against him. The
petitioner is in custody since 21.10.2016.

Heard learned A.P.P. also, who could not controvert the fact
that there is no specific allegation against the petitioner.

Having heard both sides and in view of the fact that name of



the petitioner has transpired in course of the investigation of the case but nothing has been mentioned in the F.I.R. against him as well as he is in custody for about four months, 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 C.J.M., Gaya in connection with Wazirganj P.S.Case No.471 of 2015.

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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